

URBAN/MUNICIPAL

CA4 ON HBL A05

A31

1998

AGENDA

MEETINGS OF THE COUNCIL
OF THE CITY OF HAMILTON

JAN. 7, 1998 ...



2nd floor.

OFFICE OF THE

MEMORANDUM

TO: Mayor R. M. Morrow
and Members, City Council

YOUR FILE:

City Department Heads

FROM: S. G. Hollowell
Acting City Clerk
Office of the City Clerk

OUR FILE:
PHONE: 546-2727

SUBJECT: 1998 City Council Schedule

DATE: 1997 December 18

This will confirm, that City Council, at its meeting held Thursday, 1997 December 11th, approved Section 4 of the Committee of the Whole as follows:

4. That the meeting of City Council scheduled for Tuesday, January 13, 1998 be cancelled due to the fact that no standing Committee meetings are scheduled for the first week of January, 1998.

Trusting that this confirmation is of assistance to you.

S. G. Hollowell

cc R. C. Prowse, Regional Clerk
Administrative Assistants, Aldermen's Offices
Information Desk
Media

URBAN/MUNICIPAL

CAY ON HBL AOS

A31

1998



Ken Roberts
Chief Executive Officer
Hamilton Public Library

2nd floor

1997 January 6

NOTICE OF SPECIAL MEETING

COMMITTEE OF THE WHOLE\CITY COUNCIL

Wednesday, 1998 January 7

5:00 o'clock p.m.

Room 233, City Hall

J. J. Schatz
City Clerk

URBAN MUNICIPAL

JAN 9 1998

GOVERNMENT DOCUMENTS

The purpose of this meeting is to discuss Provincial downloading.

c.c.: J. Pavelka, Chief Administrative Officer
Department Heads



1952

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Washington, D.C. 20250

WATER RIGHTS

WATER

WATER RIGHTS

The following is a list of water rights...

WATER RIGHTS

URBAN/MUNICIPAL

CA4 ON HBL A05
A31
1998



Ken Roberts
Chief Executive Officer
Hamilton Public Library

1997 January 16

NOTICE OF SPECIAL MEETING

CITY COUNCIL

Tuesday, 1998 January 20

5:45 o'clock p.m.

(immediately prior to Special Regional Council)

Room 233, City Hall

J. J. Schatz
City Clerk

URBAN MUNICIPAL

JAN 22 1998

GOVERNMENT DOCUMENTS

The purpose of this meeting is to consider the recommendation of the Finance and Administration Committee relative to the temporary relocation of civic departments in order to accommodate the Regional Chairman, CAO and Clerk at City Hall.

Attached for the information of City Council is a copy of the staff report to the Finance and Administration Committee which will be considered by the Committee at its meeting on Tuesday, January 20th at 1:30 p.m.

att.

c.c.: J. Pavelka, Chief Administrative Officer
Department Heads

AV 24 484 602
821
1778



1907 January 10

NOTICE OF THE BOARD OF DIRECTORS

TO THE STOCKHOLDERS OF THE
COMPANY, BEING THE
ANNUAL MEETING OF THE STOCKHOLDERS
Held at the City of New York

[Handwritten signature]
J. J. [illegible]
President

RECEIVED

JAN 22 1908

REVENUE DOCUMENT

The purpose of this notice is to advise the stockholders of the Company that the annual meeting of the stockholders will be held at the City of New York on the 22nd day of January, 1908, at 10 o'clock in the forenoon.

At this meeting the following business will be transacted: To receive and approve the report of the Board of Directors for the year ended December 31, 1907, and to elect directors for the ensuing year.

J. J. [illegible]
Secretary


CITY OF HAMILTON

- RECOMMENDATION -

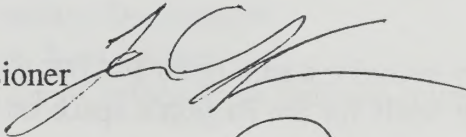
DATE: 1998 January 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

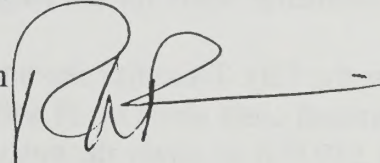
FROM: J. J. Schatz
City Clerk



L. King
Building Commissioner



R. Fair
Director of Culture & Recreation



SUBJECT: Temporary Relocation of Civic Departments in order to
Accommodate the Regional Chairman, Regional C.A.O.
and Regional Clerk's Department at City Hall

RECOMMENDATION:

- (a) That as a result of City Council approval to make space available on the first floor of City Hall as of April 1998 for the Regional Chairman, Regional C.A.O. and Regional Clerk's Department, the following City Departments will be temporarily relocated as follows:
- (i) the Information Systems Department will relocate its staff (13) from the south west corridor of the first floor at City to various City/Regional locations in the downtown;
 - (ii) the Public Works and Traffic Department's First Attendance Facility will relocate its staff (13) to the space vacated by the Systems Department on the first floor of City Hall;
 - (iii) the Public Works and Traffic Department's School Crossing Guards section located on the Mezzanine Level will relocate its staff (5) members to the space vacated by the Systems Department on the first floor City Hall;

- (iv) the Building Department's Project Management and Field Services Sections will relocate its staff (5) to the Mezzanine;
 - (v) the Municipal Non-Profit and Loans Division will relocate its staff (6) to 25 Main Street West, 15th Floor with rent being paid from the operations budget of the Municipal Non-Profit Housing Corporation;
 - (vi) the City Clerk's Department's Real Estate Division will relocate its staff (11) to the third floor of Hamilton Place with no rent payable;
 - (vii) the Culture & Recreation Department will relocate one staff to the fifth floor; and,
- (b) That the City set aside a sum up to \$40,000 in order to cover the costs of demolishing the demising walls for the Region's space on the first floor of City Hall; and,
 - (c) That the City Treasurer recommend the method of funding to cover the \$120,000 in estimated costs made up of \$40,000 to cover costs of demolishing the demising walls and \$80,000 to cover the costs of relocating the aforesaid departments; and,

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The attached spreadsheet provides a detailed costing with the move estimated to be \$80,000 and the costs to prepare the first floor for occupancy being \$40,000. The initial \$120,000 cost to relocate the Civic Departments and demolition required by the Region may be partially offset by the estimated rent of \$84,000 (annualized) from the Region for the first year of their lease. It is understood that these departments being relocated will remain at there new location for a one year period until such time as City Council has reviewed restructuring plans for the City/Region administration.

BACKGROUND:

In view of the Region moving to the first floor of City Hall various City Departments will require to be relocated.

The City Accommodation Team made up by J. Schatz (City Clerk's Department), L. King (Building Department) and R. Fair (Culture & Recreation Department) considered six options in order to accommodate those departments affected. The Sixth Option was supported and forms the recommendation before you for consideration. The following spread sheet provides the breakdown of the costs for the relocations. The relocation of departments will be divided into two types of moves, internal (City Hall) and external (25 Main Street West and Hamilton Place). Each move will be phased with the crucial move being the Systems Department which plans to move six staff members to the Ellen Fairclough Building (119 King Street West), four staff members to 25 Main Street West (Human Resources Department), 3 staff members to seventh floor City Hall (Planning Department), 2 staff members relocated on first floor City Hall and one staff member relocated to Central Garage.

In order to accommodate the April move-in date by the Region, the first floor needs to be vacant as soon as possible. Our target date is 1998 February 1.

In addition to the above-noted cost, the Region has requested that the City provide totally undemised space on the first floor at the City's expense. The work is estimated to cost approximately \$40,000.

mcjw MCJW/hew

- c.c. Alderman B. Charters, Chairman, Finance Committee
- J. G. Pavelka, P.Eng., Chief Administrative Officer
- D. Lobo, Commissioner, Department of Public Works & Traffic
- Allan C. Ross, Treasurer, Treasury Department
- P. Noé Johnson, City Solicitor, Law Department
- J. G. Hindson, P.Eng., Director of Information Systems, Information Systems

Cost Breakdown

Department	Estimated Fax, Copier, Phone & Computer			Total	Efficiencies/Inefficiencies.
	Estimated Moving Costs	Estimated Construction Costs	Hookup Costs		
Information Systems	see total below	\$ 4,000.00	\$ 3,700.00		Staff will be divided up into four locations, some inefficiencies, however offset by e-mail/network and better client service.
Traffic - First Attendance - 1st Floor Traffic - School Crossing - Mezzanine	see total below	\$ 15,880.00	\$ 1,000.00		More space and consolidation provides for improved operations.
Building Department Project Management	see total below	\$ 5,000.00	\$ 1,200.00		Inferior space due to equipment requirements and disruption caused by access to roof and surfacing of H-VAC system by Property Maintenance
Non-Profit and Loans Division	see total below	\$ 2,000.00	\$ 2,550.00		Some inefficiencies due to distance from City Hall however staff will endeavor to minimize through e-mail/network.
Real Estate Division	see total below	\$ 14,000.00	\$ 4,086.00		Some inefficiencies due to distance from City Hall however staff will endeavor to minimize through e-mail/network.
Culture & Recreation	see total below	\$ 500.00	\$ 1,650.00		More efficient as staff are closer to their main department.
Sub Total	\$ 13,500.00	\$ 41,380.00	\$ 14,186.00	\$ 69,066.00	
Contingency Cost (15%)				\$ 10,359.90	
Total Cost of City Move				\$ 79,425.90	
The cost for the removal of the demising walls in order to accommodate the Region relocating to City Hall				\$ 40,000.00	
Grand Total				\$ 119,425.90	



1998 January 22

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1998 January 27
7:30 o'clock p.m.
Council Chambers, City Hall

URBAN MUNICIPAL

JAN 26 1998

GOVERNMENT DOCUMENTS

J. J. Schatz
City Clerk

A G E N D A

1. National Anthem.
2. Opening Prayer: Archdeacon Richard J. Berryman
7 Father Csilla Terrace
3. Presentations:
 - (a) The Fire Services Exemplary
Service Medal - Archdeacon Richard J. Berryman
 - (b) To former Aldermen Vince Agro, Don Drury
Henry Merling and Don Ross
 - (c) CERTIFICATES OF RECOGNITION
"1997 AMBASSADOR PROGRAM" Julia Claus
John Deal
Mary Dunford
Paul H. Kennedy
Kathleen A. Kirkham
Lindsay Sleightholm
Katherine Wigmore
4. Adoption of the minutes of the meetings held:
 - (a) 1997 December 11 (regular)
 - (b) 1998 January 7 (special)
 - (c) 1998 January 20 (special)
5. Correspondence

6. Reports of the Standing Committees:

- (a) *Transport and Environment Committee*
- (b) *Parks and Recreation Committee*
- (c) *Planning and Development Committee*
- (d) *Finance and Administration Committee*
- (e) *Nominating Committee - Report to follow*

7. Notices of Motion for next meeting.

8. Question Period.

9. Adjournment.

Minutes of Committee of the Whole\City Council
1997 December 11
8:30 o'clock p.m.
Room 233, City Hall

The City Clerk called the meeting to order.

Present: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

ADOPTION OF MINUTES

The minutes of the meeting held:

1997 October 28 (regular)
1997 November 4 (special)
1997 November 13 (special)
1997 December 4 (special) were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1997 December 1 from Donna Clark, David Masney, Raymond & Karen Barrett, Charles & Athena Lee, and Freda & Seymour Rosenfeld, residents of Queen Street South, Re: Opposition to proposed residential care facility at 366 Queen Street South.

Referred to the Planning and Development Committee.

2. Letter dated 1997 November 18 from R. Scott Smith, Secretary, Hamilton Harbour Commissioners, Re: Memorandum of Agreement.

Referred to the Finance and Administration Committee.

3. Letter dated 1997 December 3 from W. A. Thomas, General Manager, Hydro-Electric Commission of the City of Hamilton, Re: Zero average increase for the year 1998.

Received.

4. Application dated 1997 October 24 from the Region of Hamilton-Wentworth, Corporate Legal Services Group, 1 James Street South, Hamilton, Ontario, for a change in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District modified for 1126 Garth Street, Hamilton, Ontario.

Received.

5. Application dated 1997 October 28 from T. D. C. General Homes, 124 Second Road East, Stoney Creek, Ontario, for removal of the "H" Holding Provision for lands at 120 Ferrie Street, Hamilton, Ontario.

Received.

6. Application dated 1997 November 14 from Sisters of St. John The Baptist, 329 Mohawk Road West, Hamilton, Ontario, for further modification to the "C" (Urban Protected Residential, etc.) District, 329 Mohawk Road West, Hamilton, Ontario.

Received.

7. Application dated 1997 December 5 from Doug Leggatt, Little Three Ontario Ltd., 2207 Fairview Street, Burlington, Ontario, for an Official Plan Amendment to Redesignate the subject lands from "Residential" to "Commercial" and for a change of zoning from "AA" - (Agricultural) and "C" - (Urban Protected Residential, etc.) to "HH" - (Restricted Community Shopping and Commercial, etc.) District for 75 Rymal Road East, Hamilton, Ontario, to permit automobile sales, leasing and related uses.

Received.

8. Application dated 1997 December 5 from Silvia Costabile, 73 Kennedy Avenue, Hamilton, Ontario, for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District modified for 73 Kennedy Avenue, Hamilton, Ontario.

Received.

9. Application dated 1997 December 5 from Hampshire Properties, c/o The Effort Trust Company, 242 Main Street East, Hamilton, Ontario, for a change in zoning from "CR-1" - (Commercial - Residential) District to "HH" - (Restricted Community Shopping & Commercial, etc.) District modified for lands located at 1317 Upper James Street, Hamilton, Ontario.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FIRST REPORT

Section 79 Re: All way stop control - Locke Street North and Florence Street

It was moved by Alderman Wilson and seconded by Alderman Caplan that Section 79 of the First Report of the Transport and Environment Committee be referred back.

Recorded vote.

YEAS: Aldermen Caplan, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly. -7.

NAYS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Jackson, D'Amico, O'Sullivan -9. **LOST.**

PARKS AND RECREATION COMMITTEE - FIRST REPORT

PLANNING AND DEVELOPMENT COMMITTEE - FIRST REPORT

**Section 3 Re: 180 day delay of demolition be applied at 14 Belvidere Avenue -
Conflict of Interest**

Alderman Caplan declared personal interest in, took no part in the debate and refrained from voting on this matter as he is personally involved with the sale of this property.

* * * * *

**Section 27 Re: Official Plan Amendment No. 145 - Chedoke Terrace Inc, 100 Beddoe
Drive - Lapp Property - Conflict of Interest**

Alderman D'Amico declared personal interest in, took no part in the debate and refrained from voting on this matter as he is employed by the owner of the property.

* * * * *

**Section 27 Re: Official Plan Amendment No. 145 - Chedoke Terrace Inc, 100 Beddoe
Drive - Lapp Property**

It was moved by Alderman Kiss and seconded by Alderman Caplan that Section 27 of the First Report of the Planning and Development Committee be referred back. **LOST.**

FINANCE AND ADMINISTRATION COMMITTEE - FIRST REPORT

Section 32 (c) City of Hamilton Donations Policy

It was moved by Alderman Charters and seconded by Alderman Jackson that section 32 (c) of the FIRST Report of the Finance and Administration Committee be amended by deleting the words "Alderman B. Charters and the Treasurer meet on" in the first line and insert in lieu thereof "Doug Lobo", Commissioner of Public Works and Traffic, develop a process and policy for".
CARRIED.

COMMITTEE OF THE WHOLE - FIRST REPORT

**Section 5 Re: Liquor Control Board of Ontario - City of Hamilton objecting to opening of retail outlets selling beverage alcohol on Sundays.
- Conflict of Interest**

Alderman Haining declared personal interest in, took no part in the debate and refrained from voting on this matter as he is employed by the Liquor Control Board of Ontario.

ACTING MAYOR FOR THE MONTH OF JANUARY, 1998

It was moved by Alderman Kiss and seconded by Alderman Eisenberger that Alderman Marvin Caplan be appointed Acting Mayor for the month of January, 1998.
CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Committee of the Whole, be adopted.

1997 December 11

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:25 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz
City Clerk
JJS/dg

Committee of the Whole\Hamilton City Council
Wednesday, 1998 January 7
5:30 o'clock p.m.
Room 233, City Hall

The Council met:

Present: Mayor R. M. Morrow
Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Charters, Jackson,
Anderson, Kelly, O'Sullivan.

Absent: Alderman R. Corsini - vacation
Alderman G. Copps - vacation
Alderman F. Eisenberger - other business
Alderman C. Collins - city business
Alderman F. D'Amico - vacation

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson,
Charters, Jackson, Anderson, Kelly, O'Sullivan. 12.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - SECOND REPORT

Provincial Downloading

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Charters, Jackson, Anderson, Kelly, O'Sullivan. -12.

NAYS: -0.

CARRIED.

City Council then adjourned at 6:00 o'clock p.m.

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1998 January 7

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SECOND** Report for 1998 and respectfully recommends:

1. That the City of Hamilton go on record as opposing the current Provincial plans to download responsibilities to municipalities as those plans are not revenue neutral to the City of Hamilton and further that Mayor R. Morrow be authorized to convey the City of Hamilton's position in this regard, in the strongest possible terms, the Premier of Ontario, all Members of Cabinet and all Local Area M.P.P.'s.
2. That in order to offset the additional costs to the City of Hamilton, the following alternatives be presented to the Province for consideration:
 - (a) That the Provincial Government not proceed with plans to download social housing on municipalities; or alternatively,
 - (b) That the Provincial Government adjust educational tax rates within the City to offset the additional municipal costs.
3. That all Local M.P.P.'s be invited to attend a special meeting with Hamilton City Council to review and discuss the issue of Provincial downloading and the financial implications on the City of Hamilton and its taxpayers.
4. That the City of Hamilton endorse and encourage the Regional Initiative to collaborate on municipal services and cost saving measures and that the city authorize the Chief Administrative Officer and staff to provide all required information to the Regional Chief Administrative Officer, and further that the City request the Regional Sub-Committee meet with City Council in order that input may be provided.

5. That the following Bill be adopted, signed and sealed and enrolled as a By-law:

E-002 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted,

**MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE**

**J. J. Schatz
Secretary**

1998 January 7

Minutes of Hamilton City Council
Tuesday, 1998 January 20
5:50 o'clock p.m.
Room 233, City Hall

The Council met:

Present: Acting Mayor Caplan, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan.

Absent: Mayor R. M. Morrow - civic business

Acting Mayor Caplan called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee, be considered in Committee of the Whole with Acting Mayor Caplan in the chair.

Recorded vote.

YEAS: Acting Mayor Caplan, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - SECOND REPORT

Relocation of offices from the 1st floor of City Hall

Section 1 Re: Relocation of offices from the first floor of City Hall

Recorded vote.

YEAS: Acting Mayor Caplan, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps. -1.

CARRIED.

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Acting Mayor Caplan, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

City Council then adjourned at 6:00 o'clock p.m.

Taken as read and approved.

ACTING MAYOR M. CAPLAN

J. J. Schatz
1998 January 20
JJS/dg

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SECOND** Report for 1998 and respectfully recommends:

1. (a) That as a result of City Council approval to make space available on the first floor of City Hall as of 1998 April, for the Regional Chairman, Regional C.A.O. and Regional Clerk's Department, the following City Departments will be temporarily relocated as follows:
 - (i) The Information Systems Department will relocate its staff (13) from the south west corridor of the first floor at City Hall to various City/Regional locations in the downtown; and,
 - (ii) The Public Works and Traffic Department's First Attendance Facility will relocate its staff (13) to the space vacated by the Systems Department on the first floor of City Hall; and,
 - (iii) The Public Works and Traffic Department's School Crossing Guards section located on the Mezzanine Level will relocate its staff (5) to the space vacated by the Systems Department on the first floor at City Hall; and,
 - (iv) The Building Department's Project Management and Field Services Sections will relocate its staff (5) to the Mezzanine; and,
 - (v) The Municipal Non-Profit and Loans Division will relocate its staff (6) to 25 Main Street West, 15th Floor with rent being paid from the operations budget of the Municipal Non-Profit Housing Corporation; and,
 - (vi) The City Clerk's Department's Real Estate Division will relocate its staff (11) to the third floor of Hamilton Place with no rent payable; and,
 - (vii) The Culture & Recreation Department will relocate one staff to the fifth floor at City Hall; and,

- (b) That the City set aside a sum up to \$40,000 in order to cover the costs of demolishing the demising walls for the Region's space on the first floor of City Hall; and,
- (c) That the City Treasurer recommend the method of funding to cover the \$120,000 in estimated costs made up of \$40,000 to cover costs of demolishing the demising walls and \$80,000 to cover the costs of relocating the aforesaid departments.

Recorded vote.

YEAS: Acting Mayor Caplan, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps. -1.

CARRIED.

- 2. (a) That financing of temporary relocation of Civic Departments be provided by a capital project being established in relation to the relocation of staff at an estimated amount of \$120,000 to be financed from the Reserve for Contingency, Account Centre No. CH 00115; and,
 - (b) That the Reserve for Contingency be reimbursed, up to the amount disbursed, from the rent recoverable from the Region in relation to the space available for the Regional Chairman, Regional C.A.O. and Regional Clerk's Department.
3. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-6 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder, Secretary
1998 January 20**

C O R R E S P O N D E N C E

Correspondence:

1. Letter dated 1998 January 12 from Bob Swenor, President, Hamilton and District Chamber of Commerce respecting Beer and Liquor Stores open on Sundays.

Recommendation: Be Referred to the Committee of the Whole

2. Application dated 1997 December 15 from Peter Dalle Vedove, 194 Lottridge Street, Hamilton for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District for 184 Lottridge Street, Hamilton, Ontario.

Recommendation: Be Received.

3. Application dated 1997 December 17 from Casimar Banas, 233-235 Locke Street North, Hamilton, Ontario for a modification to the "D" (Urban Protected Residential One and Two Family Dwellings, etc.) District for property at 233-235 Locke Street North, Hamilton, Ontario.

Recommendation: Be Received.

4. Application dated 1998 January 15 from Alec Anastasiou, 861 Upper Paradise Road, Hamilton, Ontario for a modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District to permit an office building and medical practice for 867 Upper Paradise, Hamilton, Ontario.

Recommendation: Be Received.

5. Application dated 1998 January 20 from Visplar Holdings Inc., and Anthony and Jo-Ann Mary Notto-Campanella for changes from "AA" (Agriculture) to "C" (Urban Protected, Residential, etc.), "R-4" (Small Lot Single Family Dwellings) District and "RT-20" (Townhouse-Maisonette) District and for 51 single detached dwellings, 30 semi-detached dwelling units and 14 condominium townhouse units for lands located at 1016, 1062 and 1088 Upper Paradise Road.

Recommendation: Be Received.



January 12th, 1998

Mr. J. J. Schatz,
City Clerk,
City of Hamilton,
City Hall,
71 Main St. West,
HAMILTON, Ontario
L8N 3T4

Dear Mr. Schatz:

The Hamilton and District Chamber of Commerce, representative of 1,000 corporations in the Greater Hamilton Region, respectfully requests that City Council reconsider its recent actions of prohibiting Beer and Liquor Stores to open on Sundays.

We do not make this request to necessarily promote the sale of Beer and Liquor, we would make the same request no matter which sector of the local economy was impacted.

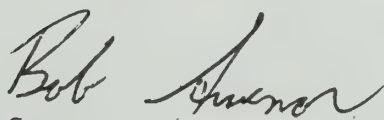
The Chamber's position on Sunday shopping has been in place for over 30 years. It simply states "that there should be no restrictions on Sunday shopping, but if there are to be restrictions then they should be applied province wide."

Since that is obviously not the case in this instance, we find it necessary to ask for reconsideration and request that you forward our correspondence to the appropriate committee.

The content of telephone calls to our office about this matter have all reflected similar concerns: That Hamilton has taken a step backwards; That economic activity which would normally have been generated in Hamilton will now go to neighbouring communities; That Hamilton will not be seen as being in step with most other communities in the Province.

We would also ask that periodically we be advised as to the status of this request, and should the opportunity present itself, let it be known that we would be available to appear before the committee considering the request.

Kindest regards,


Bob Swenor,
President

The Hamilton & District
Chamber of Commerce

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REPORTS

**TRANSPORT & ENVIRONMENT
COMMITTEE**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SECOND** Report for 1998 and respectfully recommends:

1. That City Council enact the by-law to authorize the assumption of a one metre portion of the unassumed lane which extends between Beulah Avenue and Miles Court and to close such assumed portion of lane to vehicular traffic.
2. That the existing "Alternate Side Parking" regulation on Belview Avenue, between King Street East and Dunsmure Road, be replaced with a "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation on the west side and a "No Parking" regulation on the east side of the street and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That the existing "Permit Parking" regulation on the south side of Charlton Avenue West commencing at a point 150 feet east of Kent Street and extending to a point 18 feet easterly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
4. That Aberdeen Avenue between Queen Street South and Hess Street South be removed from the "through street" system such that overnight parking will be allowed, and that the City Traffic By-law No. 89-72 be amended accordingly.
5.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Paling Avenue commencing at a point 705 feet south of Barton Street East and extending to a point 20 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. James Harvey, No. 275 Paling Avenue.

6. That the existing "Permit Parking" regulation on the east side of East 21st Street commencing at a point 238 feet south of Concession Street and extending to a point 22 feet southerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
7.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Inchbury Street commencing at a point 113 feet north of Florence Street and extending to a point 16 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. John Moores, No. 10 Inchbury Street.
8. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Holmes Avenue between Leland Street and Emerson Street, and that the City Traffic By-law No. 89-72 be amended accordingly.
9. That the existing "Alternate Side Parking" regulation on Clinton Street between Ruth Street and Barnesdale Avenue North be replaced with a "No Parking" regulation on the north side and unrestricted parking on the south side, and that the City Traffic By-law No. 89-72 be amended accordingly.
10. That a "No Stopping, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the west side of Wexford Avenue South from Central Avenue to Monterey Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.
11. That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of East 22nd Street commencing at a point 142 feet south of Concession Street and extending 297 feet southerly therefrom and on the east side of East 22nd Street commencing at a point 143 feet south of Concession Street and extending 294 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

12. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Sanders Boulevard between West Park Avenue and Westbourne Road and on the north side of Sanders Boulevard between West Park Avenue and Daleview Court, and that the City Traffic By-law No. 89-72 be amended accordingly.
13. That a "One Hour Parking Time Limit, 24 hours a day, Monday-Friday" regulation be implemented on the east side of Pearl Street South between Hunter Street West and Bold Street, and that the City Traffic By-law No. 89-72 be amended accordingly.
14. That a "No Parking" regulation be implemented on the north side of Ofield Road commencing at Ewen Road and extending to a point 181 feet westerly therefrom and on the south side of Ofield Road commencing at Ewen Road and extending to a point 98 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
15. That the existing three-way stop control at the intersection of Coral Drive and Fielding Crescent be retained on a permanent basis.
16. That northbound traffic on Roland Road be required to stop for eastbound and westbound traffic on Regent Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.
17. That eastbound and westbound traffic on Eagleglen Way be required to stop for northbound and southbound traffic on Upper Paradise Road, and that the City Traffic By-law No. 89-72 be amended accordingly.
18. That a "No U-Turn" sign be erected for westbound traffic on Southampton Drive at Grandoaks Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.

19. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated costs of services for the following subdivisions:

"Domvir Estates - Phase 1, Hamilton

City's share -NIL-, Owner's share \$ 23,054.35

"Wisemount Estates - Phase 10, Hamilton

City's share -NIL-, Owner's share \$ 91,081.64

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of Domvir Estates - Phase 1", Hamilton and "Wisemount Estates -Phase 10", Hamilton as well as and any other related documents for these Subdivisions subject to the approval of the City Solicitor; and,
- (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,
- (d) In the event that the owner wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered the owner should be allowed to do so at their own risk provided that the owner enters into a standard agreement with the City of Hamilton for pre-servicing.
20. (a) (i) That the lands forming the east/west alley south side of 73 East 19th Street from East 19th Street to Upper Wentworth and the north/south alley northerly to the north limit of 57 East 19th Street, designated as Parts 1 through 18, on Plan 62R-13947, be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law No. 95-049; and,
- (ii) That the Real Estate Division be authorized and directed to sell these properties in accordance with the Real Property Sales Procedural By-law; and,

- (b)
 - (i) That the 16 Offers to Purchase (Highway Closure) documents for the subject alleys, designated as Parts 1 through 18, on Plan 62R-13947 which are set out on the pages attached herewith and marked Appendix "A" for the price of \$2 for each of the 16 sales, executed by the entitled abutting owners, be accepted. The said transactions are all scheduled to close on 1998 March 13. Funds derived from this sale be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and,
 - (ii) That the City Solicitor be authorized and directed to prepare the necessary transfer documents; and,
 - (iii) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (1) satisfactory notice has been given to the public of the intended sale; and,
 - (2) no appraisal of fair market value of the real property intended to be sold has been obtained as Highway(Public Alleyway) Closures and Sales are exempt from the appraisal requirement of Section 193 of the Municipal Act; and,
 - (c)
 - (i) That the Commissioner of Transportation be directed to prepare a by-law for the sale of the closed alleyways to the abutting owners; and,
 - (ii) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act, R.S.O. 1990, of the City's intention to pass the By-law.
- 21. (a) That the Commissioner of Transportation be authorized on an interim basis to proceed with the calling of tenders for the following projects in relation to the 1998 Road and Sidewalk Capital Improvement Programme in an amount not to exceed \$3,000,000 prior to the final Capital Budget approval:
 - (i) Ferguson Avenue between King and King William
 - (ii) West 32nd Street between Scenic and Sanatorium

- (iii) West 33rd Street between Scenic and Sanatorium
 - (iv) Hot-in-place asphalt recycling at various locations; and,
 - (b) That the Commissioner of Public Works and Traffic and the Commissioner of Transportation be authorized to undertake these works on behalf of the City of Hamilton once all the necessary approvals have been received.
22. That the following additional City initiatives be approved to maximize on-street parking and to improve overall parking conditions in the downtown area:
- (a) That parking meters be installed on the following City streets:
 - (i) west side of Walnut Street from King to Main Streets (3 hour duration); and,
 - (ii) south side of Jackson Street from James to MacNab Streets (3 hour duration); and,
 - (iii) north side of Jackson Street from MacNab Street to the City Hall (3 hour duration); and,
 - (iv) east side of MacNab Street south of Vine Street (1 hour duration); and,
 - (v) both sides of Vine Street from MacNab to James Streets (1 hour duration); and,
 - (vii) west side of Park Street south of Vine Street (1 hour duration); and,
 - (b) That the following full-time regulations (ie. loading zones) be converted to part-time regulations to allow free parking to occur during evening hours and on Sundays:
 - (i) That the existing full-time "No Parking - Loading Only" regulation on the south side of Rebecca Street commencing at a point 75 feet east of James Street North and extending to a point 23 feet easterly therefrom be revised such that it is in effect from 8:00 a.m. to 6:00 p.m., Monday to Saturday; and,

- (ii) That the existing full-time "Commercial Vehicle Loading Zone" on the north side of Jackson Street East commencing at a point 30 feet west of Walnut Street and extending to a point 70 feet westerly therefrom be revised, such that it is in effect from 7:00 a.m. to 6:00 p.m., Monday to Saturday; and,
 - (iii) That the existing "No Stopping, 4:00 p.m. to 9:00 a.m., 7 days a week" regulation on the west side of Hughson Street North between King Street East and Main Street East be replaced with a "No Stopping, 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday to Saturday" regulation; and,
- (c) That the City Traffic By-law be amended to reflect the following minor adjustments to the various parking/loading regulations which were required upon the installation of the 200 new parking meters in the downtown in July 1997:
- (i) That a full-time "Wheelchair Loading Zone" be implemented on the north side of King William Street commencing at a point 97 feet west of the west curb line of Walnut Street and extending to a point 44 feet westerly therefrom; and,
 - (ii) That a "No Parking" regulation be implemented on the east side of Mary Street commencing at a point 166 feet north of King Street and extending to a point 62 feet northerly therefrom; and,
 - (iii) That the existing full-time "Commercial Vehicle Loading Zone" on the north side of King William Street commencing at a point 26 feet west of Wellington Street and extending to a point 50 feet westerly therefrom be deleted and replaced with a "No Parking" regulation commencing at a point 63 feet west of Wellington Street and extending to a point 24 feet westerly therefrom; and,
- (d) That no further action be taken on the request of the Downtown Hamilton Business Improvement Area to implement a two hour parking duration on all on-street parking meters in the downtown area; and,
- (e) That City staff actively participate with the International Village and Downtown Hamilton BIAs to promote and advertise the recent parking initiatives/improvements for the downtown area; and,
- (f) That the City Traffic By-law No. 89-72 be amended accordingly.

23.
 - (a) That a School Crossing Guard be assigned to the intersection of Blake Street and Maplewood Avenue during the morning and evening school crossing periods only, on a permanent basis; and,
 - (b) That consideration be given in the 1998 Current Budget deliberations for an expansion package of approximately \$4,000, plus administrative costs, for a School Crossing Guard at this location on a permanent basis.
24.
 - (a) That the existing hours of the School Crossing Guard at the intersection of Cannon Street East and Lottridge Street be extended to include the lunch time school crossing periods up until the approval of the 1998 Departmental Budget; and,
 - (b) That said assignment be subject to the approval of an expansion package totalling approximately \$2,500, plus administrative costs, which will be presented during the 1998 current budget deliberations.
25.
 - (a) That the action of the Commissioner of Public Works and Traffic in temporarily assigning a School Crossing Guard to the intersection of Beryl Avenue and Birchview Drive during the morning and evening school crossing periods be confirmed; and,
 - (b) That the temporary School Crossing Guard be removed at the end of the 1997-1998 school year pending confirmation that there is a reduction in the traffic volumes on Beryl Street/Birchview Drive.
26. That all-way stop control regulation be implemented at the intersection of Herkimer and Kent Streets and that the City Traffic By-law No. 89-72 be amended accordingly.
27. That City Council acknowledge the generous contribution made by Philip Services Inc. in providing all required transportation of the firewood the City of Hamilton was able to provide to the residents of Eastern Ontario and Quebec in the wake of the recent ice storms these areas experienced.

1998 January 27

28. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) A-11 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic

(b) A-12 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

**ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson
Secretary**

1998 January 19

Appendix "A" as referred to in Section 20 of the Second Report
of the Transport and Environment Committee for 1998

No.	Abutting Owner	Description
1.	G. McDuffee and D. McDuffee	Part 17 on Plan 62R-13947 Comprising an area of 16.26 square metres (175.03 square metres), more or less
2.	T. Shaw	Part 16 on Plan 62R-13947 Comprising an area of 22.77 square metres (245.1 square metres), more or less
3.	C. Goritsas and T. Lindsay	Part 3 on Plan 62R-13947 Comprising an area of 91.36 square metres (983.4 square feet), more or less
4.	G. Facciuolo and I. Facciuolo	Part 7 on Plan 62R-13947 Comprising an area of 26.0 square metres (279.8 square feet), more or less
5.	D. Avolio and P. Avolio	Part 6 on Plan 62R-13947 Comprising an area of 26.0 square metres (279.8 square feet), more or less
6.	W. Wojcik, J. Wojcik and B. Wojcik	Part 9 on Plan 62R-13947 Comprising an area of 39.0 square metres (419.8 square feet), more or less
7.	D. Piotrowski	Part 14 on Plan 62R-13947 Comprising an area of 16.20 square metres (174.38 square feet), more or less
8.	R. Hussey and K. Deiter	Part 15 on Plan 62R-13947 Comprising an area of 19.57 square metres (210.66 square feet), more or less
9.	J. McIlwee and A. McIlwee	Parts 4 and 5 on Plan 62R-13947 Comprising an area 112.1 square metres (1,206.6 square feet), more or less
10.	N. D. Hunt, S. Junkin and A. Hunt	Part 13 on Plan 62R-13947 Comprising and area of 29.27 square metres (315.07 square feet), more or less
11.	T. Vasilevski and M. Vasilevski	Part 11 on Plan 62R-13947 Comprising an area of 15.90 square metres (171.15 square feet), more or less
12.	D. McVittie and M. Bremer	Part 8 on Plan 62R-13947 Comprising an area 27.31 square metres (293.97 square feet), more or less
13.	C. Mancini	Part 12 on Plan 62R-13947 Comprising an area of 29.27 square metres (315.07 square feet), more or less
14.	M. McDuffee	Part 1 and 18 on Plan 62R-13947 Comprising an area of 116.71 square metres (1,256.29 square feet), more or less
15.	P. Redmond and N. Redmond	Part 10 on Plan 62R-13947 Comprising an area of 19.50 square metres (209.9 square feet), more or less
16.	G. Kruk	Part 2 on Plan 62R-13947 Comprising an area of 97.52 square metres (1,049.73 square feet), more or less

PARKS & RECREATION
COMMITTEE

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SECOND** Report for 1998 and respectfully recommends:

1. That the Director of Culture and Recreation be authorized to waive greens fees in order to host the 2001 OGA Amateur Championship at King's Forest Golf Course 2001 July 3 to July 7.
2. That the Director of Culture and Recreation be authorized to waive greens fees in order to host the annual Hamilton Senior Games Tournament at Chedoke-Martin Golf Course, 1998 May 14 with a rain date of 1998 May 21.
3. That approval, as required by Parks By-law No. 95-126, as amended, Section 11, and under the Standard Terms and conditions of the Special Events Guidelines, be given to the Hamilton Tiger Cat Football Club (1097694 Ontario Limited) to hold a beer garden as part of a pre-game party in the east end of Brian Timmis Stadium or in the west end zone area of Ivor Wynne Stadium, on the following dates:

Wednesday 1998 June 24

Wednesday 1998 July 8

Thursday 1998 July 30

Thursday 1998 August 13

Thursday 1998 August 27

Monday 1998 September 7

Sunday 1998 September 20

Sunday 1998 October 4

Sunday 1998 October 11

Sunday 1998 November 1

Sunday 1998 November 8

Sunday 1998 November 15

4.
 - (a) That Section 8 of the Tenth Report of the Parks and Recreation Committee for 1997, adopted by City Council on 1997 October 28, awarding the Engine Restoration Project contract, be amended to add the name, Spantec Constructors Ltd., to the name, UMA Engineering Ltd., as an additional party with the City herein; and,
 - (b) That the City Solicitor be authorized to prepare the necessary Agreement accordingly; and,
 - (c) That the Mayor and Clerk be authorized and directed to execute the Agreement on behalf of the City.
5.
 - (a) That Speedy Industrial Door Repair Limited be awarded the contract for the semi-annual and annual inspection, adjustment and lubrication of manually and electrically powered rollup overhead doors as specified, at the various facilities maintained by the Building Operations and Maintenance Division of the Culture and Recreation Department as the lowest of four acceptable bids for the portion of the contract to inspect, adjust and lubricate overhead doors as specified; and,
 - (b) That Speedy Industrial Door Repair Limited and Larco Industrial Services Limited provide ongoing services for the repair and maintenance of overhead services for a period of three years, as the lowest of the four acceptable bids providing hourly rates for ongoing repairs and maintenance.
6. That approval be given to issue a Purchase Order to Airon HVAC & Control Ltd. of Hamilton, Ontario as the Contractor for the supply, labour, and installation of Gas Detection Monitors at eight of the City's Arenas, in accordance with specifications issued through the Purchasing Division on 1997 September 23, and closed on 1997 October 20, in the amount of \$96,668 plus applicable GST to a total of \$103,434, as the only bid received in accordance with the Request for Proposal documents issued and with funds to be drawn from Account No. CF709741041.

7.
 - (a) That the City of Hamilton enter into a Lease Renewal Agreement for the City owned lands at the north/west corner of Barton Street East and Sanford Avenue North (Woodlands Park) with the Ministry of Government Services for the operation of an Air Pollution Monitoring Station; and,
 - (b) That the term be for a period of five (5) years, commencing 1998 January 1, and expiring 2002 December 31, at a rental rate of \$25 per year plus taxes, and proceeds be credited to Account No. CH44104 31106 (Rental Civic Property-Civic Properties Rented); and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute a Lease Renewal Agreement in a form satisfactory to the City Solicitor.
8. That the Director of the Department of Culture and Recreation be authorized to apply for a federal grant from the Museum Assistance Program, Department of Canadian Heritage, to request funding assistance to retrofit the stable building at Whitehern for the purposes of a barrier-free visitor and program space.
9.
 - (a) That the capital allocation for Huntington Park Recreation Centre Pool Environmental Control System be increased from \$29,168 to \$60,000; and,
 - (b) That the Finance and Administration Committee recommend the method of financing the additional funding totalling \$30,832.
10.
 - (a) That staff be authorized to introduce a "random selection draw" procedure for swim lesson pre-registration at City Recreation Centres effective for the 1998 March session; and,
 - (b) That the Director of Culture and Recreation prepare a report prior to year end which outlines the results of this revised procedure.
11.
 - (a) That Section 12 of the Eighth Report of the Parks and Recreation Committee for 1997 which was adopted by City Council at its meeting held 1997 August 26, respecting the City Zero Tolerance to Violence Policy be amended to include a mandatory two month penalty for violation of the policy; and,

- (b) That the Director of Culture and Recreation be directed to investigate and report back on the feasibility of establishing a third party appeals board to review appeals from violators of the Policy; and,
 - (c) That the Director of Culture and Recreation be authorized to redouble efforts to communicate the existence of this Policy to the community.
- 12.
- (a) That the organizational structure and list of volunteers as outlined on the Chart attached hereto as Appendix "A", be endorsed by Council and that the Parks and Recreation Committee be authorized to continue the development of the model for the 2000 International Youth Olympics; and,
 - (b) That Alderman B. Morelli, Alderman T. Anderson and Alderman D. O'Sullivan be appointed to represent the City on this important sports development project; and,
 - (c) That the Director of Culture and Recreation be directed to provide a strategic plan for the organization of these games to the Parks and Recreation Committee at its 1998 March meeting.
- 13.
- (a) That the contract dated 1996 January 31, between the City and Patriot Enterprises (A Division of 952532 Ontario Ltd.) regarding the sale of advertising rights at Hamilton Civic Golf Courses be amended to reflect a one year extension on the due date at Chedoke Golf Courses for signage and to reduce the size of the tee signs to 5 square feet portrait style mounted on a single post; and,
 - (b) That the Mayor and the City Clerk be authorized to execute an amending agreement which is satisfactory to the City Solicitor.
- 14.
- (a) That a contribution in the amount of \$10,000 to Parks and Recreation Ontario be authorized to assist in the presentation of their 1998 Educational Forum to be held in Hamilton from 1998 April 26 to April 29 at the Hamilton Convention Centre; and,
 - (b) That the Finance and Administration Committee recommend a method of financing.

15. That Council endorse the Strategic Direction New Capital and Capital Maintenance projects for Culture and Recreation buildings and facilities as described in Appendix "B", attached hereto.

16.
 - (a) That for the purposes of determining the merits of lease free areas in the City of Hamilton, a task force be established and be comprised of Alderman R. Corsini and representatives from the Hamilton Academy of Veterinary Medicine, the Hamilton Society for Prevention of Cruelty to Animals, the Hamilton Sports Council and five citizens at large; and,
 - (b) That the City Clerk be authorized to advertise for the private sector citizen positions in order that interviews may be completed and a task force established; and,
 - (c) That Alderman Corsini, together with the Manager of Parks be responsible for interviews and selection of citizen members; and,
 - (d) That the task force investigate criteria for site selection, environmental impacts, operational rules and regulations, methods for capital cost recovery and public outreach; and,
 - (e) That the findings of the task force referred to in sub-section (d) be submitted to the Parks and Recreation Committee for consideration prior to the summer season.

17.
 - (a) That pursuant to the approved plan for use of "Glen Manor - the Veever's Home", the City Clerk be authorized to finalize a lease renewal with Mr. N. M. Tomlinson, effective 1998 February 1; and,
 - (b) That with the exception of metered water supply costs for the period June 1 to September 30 the tenant be responsible for all utility costs, day to day personal living expenses and content insurance for any personal belongings and/or household effects brought into the residence during the lease period; and,
 - (c) That in lieu of payment of rental charges fixed at \$1,500 per month and annual property taxes, Mr. Tomlinson will undertake to complete a project on behalf of the Department of Public Works and Traffic as detailed in the Terms of Reference attached to this report as Appendix "C"; and,

- (d) That the Finance and Administration Committee be requested to recommend a method of financing the upset limit of \$12,600 required to complete this project; and,
 - (e) That a Consultant's contract for services be entered into by the City with Mr. Tomlinson to provide the services to the City referred to in sub-section (c) above in return for the City's provision of the said rent-free accommodation; said contract to be in a form acceptable to the City Solicitor and Commissioner of Public Works and Traffic.
18. That the Commissioner of Public Works and Traffic or his designate(s) be authorized to participate directly with the Region's design team members involved in the N/S section of the Red Hill Creek Expressway and this person be considered the liaison for the City's input into the project in view of the completion of the Impact Assessment Design process by the end of April 1998.
19. (a) That By-law No. 8861 - Tariff of Charges (Cemeteries) be amended with the addition of the following interment rights.

(i) Two-Grave Lot (Hamilton Cemetery)

RESIDENT:	\$ 2,920.00	\$ 204.40 GST	\$ 3,124.40
NON-RESIDENT:	\$ 3,504.00	\$ 345.28 GST	\$ 3,749.28

(ii) Two-Grave Lot (Woodland Cemetery - Section 14)

RESIDENT:	\$ 3,500.00	\$ 245.00 GST	\$ 3,745.00
NON-RESIDENT:	\$ 4,200.00	\$ 294.00 GST	\$ 4,494.00

(iii) Three-Grave Lot (Woodland Cemetery - Section 14)

RESIDENT:	\$ 4,208.00	\$ 294.56 GST	\$ 4,502.56
NON-RESIDENT:	\$ 5,050.00	\$ 353.50 GST	\$ 5,403.50

1998 January 27

- (b) That the following new crypt charges for 1998 - 2000, approved by City Council on 1997 December 16, be registered with the Ministry of Consumer and Commercial Relations:

	COST	GST	TOTAL
YOUTH	\$ 339.00	\$ 23.73	\$ 362.73
STANDARD	\$ 330.00	\$ 23.10	\$ 363.10
INTERMEDIATE	\$ 363.00	\$ 25.41	\$ 388.41
OVERSIDE	\$ 385.00	\$ 26.95	\$ 411.95

- (c) That the Manager of Cemeteries file these changes with the Ministry of Consumer and Commercial Relations.
20. (a) That the New Crystal Palace Sub-Committee be directed to pursue the identification of additional project partner(s) and create a business plan including capital and operating costs for the new facility, preferably located on Commonwealth Square; and,
- (b) That when completed, this business plan costs and final location be submitted to the Parks and Recreation Committee for approval.

Respectfully Submitted,

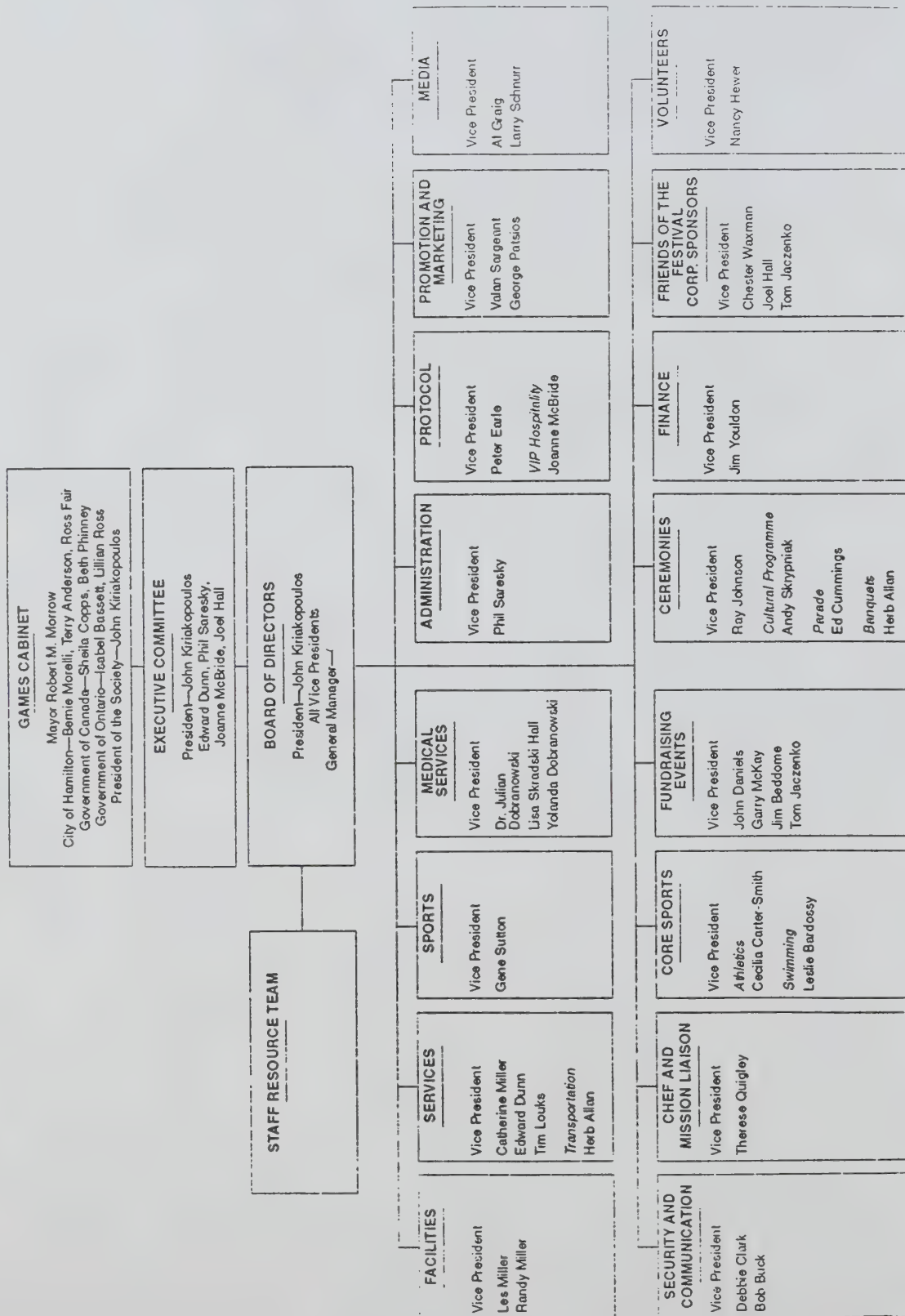
**ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1998 January 20

Appendix "A" as referred to in
Section 12 of the Second Report
of the Parks and Recreation
Committee for 1998

July 1-7, 2000
International Olympic Children's Festival
Host Society Organizational Chart



Appendix "B" as referred to in Section 15
of the Second Report of the Parks and
Recreation Committee for 1998

CULTURE AND RECREATION FACILITIES AND BUILDINGS

STRATEGIC DIRECTION

NEW CAPITAL AND CAPITAL MAINTENANCE PROJECTS

OVERVIEW:

The Department of Culture and Recreation exists to enhance the quality of life in the City Hamilton through the provision of arts, heritage, sport and recreation services. It has also been assigned responsibility for the stewardship and management of all city-owned buildings and facilities.

The building inventory includes up to 200 properties and includes City Hall, fire stations, museums, arenas, recreation centres, major outdoor stadia, fieldhouses, tennis and lawn bowling facilities and other civic properties. The Kings Forest and Chedoke Civic Golf Courses and Chedoke Winter Ski Park further add to this list of properties under the jurisdiction of the Department.

The functions and uses of these buildings vary greatly. City Hall, for example, serves as the focal point for civic life in our community. It is a meeting place, a place of business and a downtown attraction.

For the past number of years, up to three civic departments have given consideration to the capital requirements of the city's buildings and facilities. Through a series of reorganizations City Council has now concentrated this responsibility with the Director of Culture and Recreation.

Staff of the Department have just completed a total review of capital needs and capital budget development processes and are presenting this Strategic Plan for the consideration and approval of City Council for implementation for the 1998 Ten Year Capital Plan.

MISSION:

Buildings and facilities in the ownership of the City of Hamilton set the standard for appearance, cleanliness, energy efficiency and ease of access and use. Pride of ownership is an essential element of being a good neighbour. The City's buildings and facilities reflect taxpayers' pride in their heritage, their community and their institutions.

The staff of the Department of Culture and Recreation are committed to achieving this mission in fulfilment of their role as stewards and managers of the City's inventory of buildings and facilities.

We will achieve this mission by adhering to the principles outlined in this plan and by adhering to a planning process that ensures that:

- * need for buildings and facilities is clearly understood
- * use of buildings and facilities drives design and construction
- * designs for retrofits and new construction balance use, design, maintenance and safety objectives

PRINCIPLES:

1. FUNCTIONAL AND USER-FRIENDLY BUILDINGS AND FACILITIES:

All buildings and facilities must provide a positive environment in order to ensure that the intended uses can be carried out effectively and efficiently.

3. ENERGY EFFICIENT AND ENVIRONMENTALLY FRIENDLY BUILDINGS AND FACILITIES:

The development of a strategic energy plan; increased investment in building automation system technology and modernization of the Central Utilities Plant through the District Heating initiative will maximize energy efficiency, thereby reducing costs and ensure compliance with global environmental initiatives in the area of greenhouse gases. The application of other environmentally friendly objectives will carefully considered.

3. BUILDINGS AND FACILITIES THAT MAXIMIZE CAPITAL INVESTMENT THROUGH PROACTIVE LIFE CYCLE MAINTENANCE:

The capital construction and maintenance programs ensure that buildings and facilities perform up to and beyond city and industry standards throughout their life cycle.

CURRENT STATE:

The vast majority of the City's buildings are near or at the end of their normal life cycle. Past capital planning approaches have been specific and fragmented. The mandate in the recent past has been simply to fix what is broken. Until recently, little attention has been paid to evaluation of use and aesthetics.

PREFERRED STATE:

In order to achieve the Mission, it is necessary to adopt a broader and more aggressive capital strategy. Balance must be achieved relative to use, maintenance, design and safety. The capital review and prioritization process documents and recommends capital priorities on a more coordinated and systematic way.

This "Total Building Approach" will ensure that any future investment will return full value in terms of programming and efficiency of operation.

ASSET MANAGEMENT PROGRAM:

Staff are proposing the adoption of an Asset Management Program. By its very name, the program assumes that each and every one of the city's buildings and facilities is an "asset" in true financial terms. As such, it is imperative that the value of these public assets be protected and enhanced.

Beyond financial considerations, these public assets fulfil a civic purpose in that they are used for a variety of needed and important functions.

The Total Building Approach that characterizes the Asset Management Program examines each building and facility in its totality and considers capital requirements across a number of dimensions:

1. **PROGRAMMING:**

For what purpose is the asset intended to be used? Does the current state of the asset facilitate the full and effective use? Does it meet current trends and standards relative to use? Is it organized in such a way as to maximize revenues, should this be an element of its use?

2. **IMAGE:**

Does the asset present an external appearance in keeping with the Mission? Does it have an attractive address? Is the asset present an appealing internal appearance? Are users comfortable?

3. **OPERATIONAL MAINTENANCE:**

Does the asset perform to code, city or industry standards? Is it energy efficient? Is it time to replace major infrastructure elements? What's worn out? What needs to be replaced? What needs to be done to support changes to programming?

PRIORITIES:

Staff of the Department of Culture and Recreation Department, in consultation with stakeholders have developed a draft Ten Year Capital Plan for each asset for consideration during the 1998 Capital Budget based on the principles of this strategy.

Priority will continue, in the short term, to be placed on the evaluation and retrofit of existing assets.

New projects will also be evaluated based on service need and financial impact.

Appendix "C" as referred to in
Section 17 of the Second Report
of the Parks and Recreation
Committee for 1998

CONSULTING SERVICES TO INVENTORY AND DOCUMENT SITE CONDITIONS
FOR WATERCOURSES AND OPEN SPACE CORRIDORS, CITY OF HAMILTON

TERMS OF REFERENCE

I. Introduction

Within the City of Hamilton two features dominate the physical landscape, namely the Niagara Escarpment and Lake Ontario/Harbour Shoreline. Connecting one to the other is a system or network of built and relatively natural corridors in the form of watercourses, utility rights-of-way, abandoned and in-use rail lines and roads.

Recognizing the public's interest and capacity for healthy living and the natural environment, the City has been active in constructing recreational trails, capitalizing on opportunities to improve pedestrian access to the Niagara Escarpment and the water's edge. And, while work to date has been positive and certainly well received, there is undoubtedly more to be done as far as expanding the pedestrian transportation network linking together natural and facility oriented resources, residential communities, schools and destinations adjacent to and beyond City borders.

Understanding the condition of existing natural and built corridors is an important step toward proper planning and management of these resources. Using existing base mapping and data compiled from the Region's watershed planning exercise combined with field work on soil, vegetation, channel and right-of-way characteristics, etc. the project consultant will undertake to document and describe features of natural and man-made corridors within the City as well as other opportunities to accommodate trail developments and forecast remediation measures where necessary.

II. Background

City Council approved a list of recommendations in June 1995 pertaining to the Veever's Estate including a plan for the long term use of the property.

Following Council's direction, staff commenced a modest campaign in search of qualified candidate(s) for the purpose of selecting a tenant (hereafter referred to as consultant) who would occupy the estate under the terms of the approved plan. The first lease arrangement commenced February 1, 1997 and the assigned work program was successfully completed within the 1 year lease period, ending January 31, 1998.

In keeping with lease conditions, the consultant will be responsible for undertaking a work program designed to equal the value of the rent plus taxes calculated to total \$24,775 for the lease period.

City of Hamilton Parks Division staff will be involved in working with the consultant toward the completion of the defined work program.

III. Objectives

1. To identify opportunities for expanding the City's network of recreational trails giving consideration to natural and built drainage systems, utility rights-of-way, escarpments and other open space corridors.
2. To establish a set of criteria for evaluating potential trail development opportunities and evaluate identified opportunities using said material.

IV. Scope of Work

Under the direction of the City of Hamilton, Parks Division, the consultant shall undertake the following work within the schedule discussed in Section V.

1. Attend an initial orientation meeting (to be arranged by staff) and in consultation with staff, prepare a time chart for undertaking the scope of work outlined in these terms of reference to be completed by January 31, 1999.
2. Working with City staff, become familiar with existing trail development program and conceptual plans for future development both within the City and bordering municipalities/agency sponsored.
3. Assemble and become familiar with relevant background material in the form of Official Plan policies (City and Region), watershed plans, waterfront Regeneration Trust Trails/Bikeways reports, Stoney Creek Trail Master Plan, RBG studies, HRCA, etc.
4. Prepare and receive staff direction on a set of criteria to be used in evaluating potential of identified areas for recreational trail development.
5. Prepare property ownership information of selected sites and recommend consultation requirements prior to field work.
6. Undertake field work, as required, to photo document and otherwise record existing site conditions for selected areas.
7. In consultation with staff, determine field conditions to be regarded as "hot spots" and potentially requiring remediation/restoration or some other form of special attention, as required.

8. Document all findings in a final report.

V. Schedule

This work program is designed to coincide with a lease arrangement between the City of Hamilton and the consultant, involving residency at 22 Veevers Drive. The lease period is for 1 year, effective February 1, 1998.

For the purpose of commencing this project, the Manager of Parks shall convene an orientation meeting involving the consultant and affected staff, said meeting to be arranged prior to February 28, 1997. At this time a work schedule will be finalized and will include a regular series of meetings for the purpose of reporting progress.

VI. Fees

There is no fee payment to accompany this project as this work program represents a unique arrangement stemming from the City's ownership and obligations relative to Glen Manor - the Veever's Home. This work program has been designed to equal the value of rent plus annual taxes for a 1 year period at 22 Veever's Drive.

() RWC/mc

**PLANNING & DEVELOPMENT
COMMITTEE**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SECOND** Report for 1998 and respectfully recommends:

1. (a) That approval be given to Application CD-97-006, under the Rental Housing Protection Act, Emilia Fazekas, Owner, for conversion of 5 rental townhouse units to condominium townhouse for the property located at 23-25 Macauley Street West, subject to the following conditions:
 - (i) That the City offer, on behalf of the Owner, in writing, to the Tenants residing at the premises on the date of Council's approval, the right to lease their current unit or a unit upon which the tenant and landlord mutually agree for a period of not less than three years from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in Appendix "A", upon the following minimum terms:
 - (1) the Offer will be open for acceptance by the Tenants for a period of 30 days from the date the Offer is sent by the City; and,
 - (2) the City will send the Offer, by registered mail, to the tenants residing at the premises as of the date of Council approval of the RHPA application, immediately following the expiration of the appeal period of the Council approval provided that the prescribed Phase II fee has been paid by, or on behalf of, the owner; and,
 - (3) that the Tenants' rent will not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended; and,
 - (4) that the Tenants may terminate their lease, at any time, on 60 days written notice, without penalty; and,
 - (ii) That the City offer, on behalf of the Owner, in writing, to the Tenants residing at the premises on the date of Council's approval, an Option to purchase their current unit or a unit upon which the tenant and landlord mutually agree, together with appurtenant interests. Such Option shall allow each tenant at least three years from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit.

Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner; and,

- (iii)
 - (1) that the City send by registered mail to the tenants residing at the premises as of the date of the Council approval of the RHPA application, the Option to Purchase details set by City Council; and,
 - (2) that the notice indicated in section (ii) above shall be sent immediately following the expiration of the appeal period of the Council approval provided that the prescribed Phase II fee has been paid by, or on behalf of, the Owner; and,
 - (3) that the tenants noted in (ii) above shall be given 30 days from the date of the letter sent by the City to notify the City whether they are or are not interested in further considering the Option; and,
- (iv) That this RHPA approval shall cease and be at an end:
 - (1) if the Owner has sold the land without entering into an RHPA Approval Agreement with the City and registering same on title; or,
 - (2) within two years from the date of Council's approval of RHPA application CD-97-006, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton; and,
- (v) That the Owner enter into a RHPA Approval Agreement with the City in a form satisfactory to the City Solicitor, incorporating the City's conditions of approval listed herein and annexed hereto as Appendices "A" and "B", and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval; and,
- (vi) In the event that the Owner proposes to sell all of the subject lands, he/she shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein; and,
- (vii) That the Owner provide the City Solicitor with satisfactory evidence that any and all mortgagees of the property consent to the RHPA application; and,

- (viii) That the Owner provide the City Solicitor with satisfactory evidence that there are no outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval; and,
 - (b) That upon satisfaction of the above-noted conditions, the City Solicitor be authorized to request that the City Clerk execute the RHPA Certificate of Approval.
- 2.
 - (a) That approval be given to City Initiative 97-C, for a change in zoning from "H" (Community Shopping and Commercial) District to "C" (Urban Protected Residential, etc.) District for property located at 166 Queenston Road, as shown on the attached map marked as Appendix "C", on the following basis:
 - (i) That the subject lands be rezoned from "H" (Community Shopping and Commercial) District to "C" (Urban Protected Residential, etc.) District; and,
 - (ii) That the attached By-law, which has been prepared in a form satisfactory to the City Solicitor, to amend Zoning By-law No. 6593 and Zoning District Map E-9D be enacted by City Council; and,
 - (iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 3. That approval be given Amended Zoning Application ZAC-97-30, 1186559 Ontario Inc. (Hai Chan Wah), owner, requesting a rezoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District (Block 1), and a modification to the "C" (Urban Protected Residential, etc.) District regulations (Block "2"), to permit the development of nine (9) single family detached dwellings, for property located at 21 Brantdale Avenue, as shown on the attached map marked as Appendix "D", on the following basis:
 - (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands Blocks "1" and "2"), by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as the owner submits a signed Record of Site Condition (RSC) to the Region and the Ministry of Environment and Energy (MOEE), to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the MOEE.

City Council may remove the "H" symbol, and thereby give effect to the rezoning and modified provisions as stipulated in this By-law, by enactment of amending By-law once the condition is fulfilled; and,

- (b) That Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District; and,
 - (c) That the "R-4" (Small Lot Single Family Detached) District regulations, as contained in Section 9A of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 9A(2)(c)(1), a minimum average lot width of 9.14 m shall be permitted; and,
 - (d) That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 9(4), a minimum lot width of at least 11.43 m and a minimum lot area of 348.36 m² shall be permitted; and,
 - (e) The amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1393, and that the subject lands on Zoning District Map W-7 be notated S-1393; and,
 - (f) That the City Solicitor be direct to prepare a By-law to amend Zoning District Map W-7 for presentation to City Council; and,
 - (g) That the proposed modification in zoning is in conformity with the Official Plan for the City of Hamilton Planning Area.
4. (a) That approval be given to Subdivision Application SAC-97-06 (Regional File No. 25T-97013), City of Hamilton, owner, to establish a draft plan of subdivision "Albion Mills Estates" for 92 lots for single-family dwellings, 1 block to be added with adjacent lands, and to construct 3 streets, for lands located north of Mud Street, east of Mount Albion Road and west of the municipal boundary, as shown on the attached map marked as Appendix "E", subject to the following conditions:
- (i) That this approval apply to the plan, prepared by Regional Municipality of Hamilton-Wentworth and certified by Kin Lau, O.L.S., dated August 7, 1997, as red line revised, showing 92 lots for single detached dwellings, and 1 Block; and,
 - (ii) That the owner implement the preferred solution of the Montgomery Creek Stormwater Management Class Environmental Assessment to the satisfaction of the Commissioner of the Regional Environment Department; and,

- (iii) That a 2.0 metre x 2.0 metre daylight triangle be established on the corner lot on all "L" shaped streets; and,
- (iv) That Lots 1 to 7, inclusive not be developed until such time as the existing creek is relocated or is no longer required for drainage purposes to the satisfaction of the Commissioner of the Regional Environment Department; and,
- (v) That Lots 1 to 7, inclusive, not be developed until such time as a noise feasibility study is submitted to the satisfaction of the Commissioner of Regional Environment Department and prepared by a qualified professional. The noise study is to contain an investigation of the noise levels impacting the proposed development, and the necessity for noise control measures.

Should the noise feasibility study demonstrate the potential for significant noise impacts, submission to the satisfaction of the Region of a detailed acoustical report prepared by a qualified professional, with said report containing the recommended noise control measures; and,

- (vi) That a physical barrier which prevents vehicular access to the City owned lands, external to the plan, be provided, at the cost of the developer, along Kingsview Drive on or adjacent to the City owned lands. The design and the construction is to be to the satisfaction of the City Engineer; and,
- (vii) That the Developer provide a 3.0 m wide granular trail between Kingsview Drive and the storm sewer outlet at Montgomery Creek. The design and construction be to the satisfaction of the Commissioner of the Public Works and Traffic Department; and,
- (viii) That the roof leaders not be connected to the storm sewer; and,
- (ix) That a chain link fence, minimum 1.5 in height, be provided and maintained along the rear of the Lots 8 to 21 inclusive, the westerly lot line of Lot 8 and the northerly lot line of Lot 7; and,
- (x) That the final plan conform with the applicable provisions of the "B-2" (Suburban Residential, etc.) District, "C" (Urban Protected Residential, etc.) District and the "R-4" (Small Lot Single Family Dwelling) District in the City of Hamilton Zoning By-law No. 6593; and,
- (xi) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the Subdivision in the Final Plan; and,

- (xii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton as provided for under section 51 of the Planning Act; and,
- (xiii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement, prior to the issuance of a final release by the City of Hamilton; and,
- (xiv) That the streets be named to the satisfaction of the City of Hamilton and the Region of Hamilton-Wentworth; and,
- (xv) That the lot lines of Lots 17 to 23, inclusive, and Lots 33 to 36, inclusive, be revised to the satisfaction of the Manger of Traffic Planning, Public Works and Traffic Department; and,
- (xvi) That the City of Stoney Creek be requested, and agree to lifting the 0.3 m reserve on the westerly end of Kingsview Drive (Agate street) shown as Block 42 on Plan 62M-399 in order to provide street access to this subdivision through Kingsview Drive and Paramount Drive in the City of Stoney Creek; and,
- (xvii) That Lots 72 to 92 inclusive not be developed until such time as Mud Street is closed to the east, realigned to the east and this section of Mud Street reverts to a local cul-de-sac roadway; and,
- (xviii) That the streets be dedicated to the City of Hamilton as public highways in the final plan; and,
- (xix) That the owner prepare and submit a municipal street numbering plan to the satisfaction of the Director of Planning and Development Department; and,
- (xx) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,
- (xxi) That prior to development, the Owner prepare and implement an erosion and sediment control plan to the satisfaction of the City of Hamilton and Hamilton Region Conservation Authority and that said plan comply with the following requirements:
 - (1) That all erosion and sediment control measures be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated; and,

- (2) That the Owner provide an inspection report prepared by a qualified professional engineer of all erosion and sediment control measures after each rainfall to the satisfaction of the Manger of Development, Regional Environment Department; and,
- (3) That any disturbed area not scheduled for further construction within 45 days be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and,
- (4) That all disturbed areas be revegetated with permanent cover immediately following completion of construction; and,
- (xxii) That the Owner be required to enter into a subdivision agreement with the City of Hamilton prior to development of any portion of these lands; and,
- (xxiii) That the owner agree to satisfy all the requirements, financial and otherwise, of the City of Hamilton prior to the development of any portion of the lands; and,
- (b) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the City of Hamilton with respect to this application (SAC 97-06/25T-97013), "Albion Mills Estates", proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
- (c) That the City Clerk be directed to advise the Commissioner of the Regional Environment Department of City Council's decision; and,
- (d) That approval be given to City Initiative 97-D, for changes in zoning from "A" (Conservation, Open Space, Park and Recreation, etc.) District to "B-2" (Suburban Residential, etc.) District for Block "1"; to "C" (Urban Protected Residential, etc.) District for Block "2" and "R-4" (Small Lot Single Family Dwelling) District, modified for Block "3", to permit the development of the subject lands for 71 large lot single-family dwellings (i.e. 15 m lot frontage - Block "1"); 11 single-family dwellings (i.e. 12 m lot frontage - Block "2"); and 10 small lot single-family dwellings (i.e. 10 m lot frontage - Block '3"), for lands located north of Mud Street, east of Mount Albion Road and west of the municipal boundary, as shown on the attached map marked as Appendix "F"; and,
- (i) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to Blocks "2" and "3" by introducing the holding symbol 'H' as a suffix to the proposed Zoning Districts. The

holding provision will prohibit the development of the lots fronting on Mud Street until such time as Mud Street is realigned to the east and Mud Street reverts to a local cul-de-sac roadway.

Removal of the holding restriction shall be conditional upon Mud Street being realigned to the east and Mud Street reverting to a local cul-de-sac roadway. City Council may remove the 'H' symbol, thereby, giving effect to the "C" and "R-4" District provisions as stipulated in this By-law by an enactment of an amending By-law once the condition is fulfilled; and,

- (ii) That Block "1" be rezoned from "A" (Conservation, Open Space, Park and Recreation, etc.) District to "B-2" (Suburban Residential) District; and,
- (iii) That Block "2" be rezoned from "A" (Conservation, Open Space, Park and Recreation, etc.) District to "C" (Urban Protected Residential, etc.) District; and,
- (iv) That Block "3" be rezoned from "A" (Conservation, Open Space, Park and Recreation, etc.) District to "R-4" (Small Lot Single-Family Dwelling) District; and,
- (v) That the "R-4" (Small Lot Single Detached Dwellings, etc.) District, as contained in Section 9A of Zoning By-law No. 6593, applicable to Block "3", be modified to include the following variances as special requirements:
 - (1) That notwithstanding Section 9A.2.(b)1.(ii)B., in the case of a corner lot shall have a westerly side yard of not less than 3.0 m; and,
 - (2) That notwithstanding Section 9A.2.(c)1., the corner lot shall have a minimum frontage of 13 m and all other lots shall have a minimum lot frontage of 10 m; and,
- (vi) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1394, and that Blocks "2" and "3" on Zoning District Map W-23 be notated S-1394; and,
- (vii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-23, for presentation to City Council; and,
- (viii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,

- (ix) Upon finalization of the implementing zoning by-law, the approved Albion Falls Neighbourhood Plan be revised by changing the road pattern.
- 5.
 - (a) That the Chairman and/or up to 4 designates attend the 1998 American Planning Association National Conference in Boston; and,
 - (b) That the Chairman or his designate attend the 1998 Canadian Institute of Planners Conference in Winnipeg; and,
 - (c) That cost for attendance be allocated to the Aldermen Travel Account No. CH55201-10010, from the 1998 Operating Budget.
- 6.
 - (a) That 1160584 Ontario Inc. (John Howard, Allan Guitar) be issued a cheque in the amount of \$4,500 on 1998 August 1, which represents the second grant installment as per the terms of the Barton Street Revitalization Program, provided that the applicant still owns the property on 1998 August 1; and,
 - (b) That 1160584 Ontario Inc. (John Howard, Allan Guitar) be issued a cheque in the amount of \$6,000 on 1999 August 1, which represents the third and final grant installment as per the terms of the Barton Street Revitalization Program, provided that the applicant still owns the property on 1999 August 1.
- 7. That the Building Commissioner be authorized to issue a demolition permit for 1457 Upper Sherman Avenue in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
- 8. That the Building Commissioner be authorized to issue a demolition permit for 21 Arden Avenue in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
- 9. That a Commercial Property Improvement Loan in the amount of twelve thousand, three hundred and thirty-two dollars (\$12,332) to Patricia Woolcott for improvements to 536 Concession Street be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate will be 3 per cent amortized over ten years.
- 10. That the City of Hamilton accept the sum of \$7,200 in connection with "Domvir Estates - Phase 1", Hamilton, and \$109,250 in connection with "Highridge South - Phase 3",

Hamilton as the cash payments in lieu of the 5% land dedication required under Section 51 of the Planning Act.

11. That Site Plan Control By-law 79-275 as amended by By-law No. 87-223 be amended by adding 1089-1091 Barton Street East to Schedule "A".
12. (a) That the City hire an appraiser at an estimated cost of \$2,500 to \$3,000 to make a professional evaluation of Bellevue, the designated property at 14 Belvidere Avenue, Hamilton; and,

(b) That the Finance and Administration Committee be requested to recommend the method of financing.
13. That Schedule "A" and "B" of By-law No. 83-71, as amended, appointing the Downtown Hamilton B.I.A. Board of Management be repealed and the following names substituted:

SCHEDULE "A"

Alderman A. Horwath

Alderman R. Corsini

SCHEDULE "B"

Kim Finlay	K.D.Finlay Clothier (owner)
Al Peckham	Royal Bank (owner)
Alex Herpers	Herpers Gowling (tenant)
Ray Harris	Harris and Henderson (tenant)
Jordan Livingston	Livingston Furs (tenant)
Reg Titian	Reggie's Music and Sound (owner)
Kathy Wiegand	Right House (owner)
Bob Sorenson	Sundried Tomatoes (tenant)
Mike McNally	Jessett Investments (owner)
Gerry Attard	Ramada Hotel (tenant)
Roger Letourneau	Just Imagine Printing (tenant)
Dick Bocker	Royal Connaught Hotel (owner)
Rose Ianuzzi	CIBC (owner)
Nancy Godwin	Nancy Godwin, Barrister & Solicitor (tenant)
David Blanchard	Hughson Business Space Corporation (owner)
Dennis Lugowy	Dennis Lugowy, Chartered Accountant (tenant)

14. (a) That the 1998 operating budget for the Downtown Hamilton B.I.A., attached hereto as Appendix "G", be approved in the amount of ninety-two thousand, four hundred dollars (\$92,400); and,

(b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 1998 budget as referenced in (a) above; and,

(c) That the following schedule of payments for 1998 be approved:

February 01	\$23,100
March 01	\$23,100
June 01	\$23,100
September 01	\$23,100

NOTE: 1997 levy arrears will be deducted from the payment for 1998.

15. (a) That the City Solicitor prepare, and City Council approve, a By-law to expand the Barton Village Community Improvement Project Area (C.I.P.A.) in accordance with the plan attached as Appendix "H" in order to implement the Commercial Property Improvement Program and the Barton Revitalization Program to owners of commercial property within the expanded area; and,

(b) That the Planning and Development Committee convene a public meeting to receive citizen input on the expansion of the corresponding Barton Village Community Improvement Plan (C.I.P.) as required under The Planning Act, Section 28.

16. (a) That the City Solicitor prepare, and City Council approve, a By-law to expand the Downtown Hamilton B.I.A.'s Community Improvement Project Area (C.I.P.A.) in accordance with the plan attached as Appendix "I" in order to implement the Commercial Property Improvement Program to owners of commercial property within the expanded area; and,

(b) That the Planning and Development Committee convene a public meeting to receive citizen input on the expansion of the corresponding Downtown Hamilton B.I.A.'s Community Improvement Plan (C.I.P.) as required under The Planning Act, Section 28.

17. (a) That the City Solicitor Prepare, and City Council approve, a By-law to expand the Main Street West Community Improvement Project Area (C.I.P.A.) in accordance with the plan attached as Appendix "J" in order to implement the Commercial Property Improvement Program to owners of commercial property within the expanded area; and,

- (xiv) That the owner agree in writing, to satisfy all the requirements, financial and otherwise, of the City of Hamilton prior to the development of any portion of these lands; and,
 - (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (SAR-97-07/25T-97016), "Delena Extension", proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
 - (c) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.
20. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) C-18 A By-law to Amend By-law No. 88-11 Respecting The Barton Village Community Improvement Project Area.
 - (b) C-19 A By-law to Amend By-law No. 90-270 Respecting The Main Street West Community Improvement Project Area.
 - (c) C-20 A By-law to Amend By-law No. 94-186 Respecting The Downtown Hamilton Community Improvement Project Area.
 - (d) C-21 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 780 Upper Paradise Road.
 - (e) C-22 A By-law to Amend By-law No. 87-308 as Amended by By-laws No. 92-079 and 97-196 Respecting Members of the Board of Management of The Barton Village Business Improvement Area.
 - (f) C-23 A By-law to Amend By-law No. 86-73 as Amended by By-laws No. 92-058 and 97-209 Respecting Members of the Board of Management of The Downtown Hamilton Business Improvement Area.
 - (g) C-24 A By-law to Amend By-law No. 86-99 as Amended by By-laws No. 92-056 and 97-176 Respecting Members of the Board of Management of The Ottawa Street North Business Improvement Area.
 - (h) C-25 A By-law to Amend By-law No. 92-078 as Amended by By-law No. 97-197 Respecting Members of the Board of Management of the Main Street West Esplanade Business Improvement Area.

1998 January 27

- (i) C-26 A By-law to Amend By-law No. 86-212 as Amended by By-laws No. 92-057 and 97-013 Respecting Members of the Board of Management of The International Village Business Improvement Area.
- (j) C-27 A By-law to Amend By-law No. 86-98 as Amended by By-laws No. 92-074 and 97-030 Respecting Members of the Board of Management of The Westdale Business Improvement Area.
- (k) C-28 A By-law to Amend By-law No. 86-144 as Amended by By-laws No. 95-047 and 96-194 Respecting Members of the Board of Management of The Concession Street Business Improvement Area.
- (l) C-29 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 100 Beddoe Drive.
- (m) C-30 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 1089-1091 Barton Street East.

Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Stella Glover, Secretary
1998 January 21**

List of Tenants at 23-25 Macauley Street West:

Charles and Jeanette Fair
Unit #1
23-25 Macauley Street West
Hamilton, Ontario
L8L 1E6

Monthly Rent: \$720.00

Penny Richard
Unit #2
23-25 Macauley Street West
Hamilton, Ontario
L8L 1E6

Monthly Rent: \$750.00

Patricia Dugas
Unit #3
23-25 Macauley Street West
Hamilton, Ontario
L8L 1E6

Monthly Rent: \$750.00

Gloria and Lloyd MacKenzie
Unit #4
23-25 Macauley Street West
Hamilton, Ontario
L8L 1E6

Monthly Rent: \$750.00

Tuyen Nguyen
Unit #1
23-25 Macauley Street West
Hamilton, Ontario
L8L 1E6

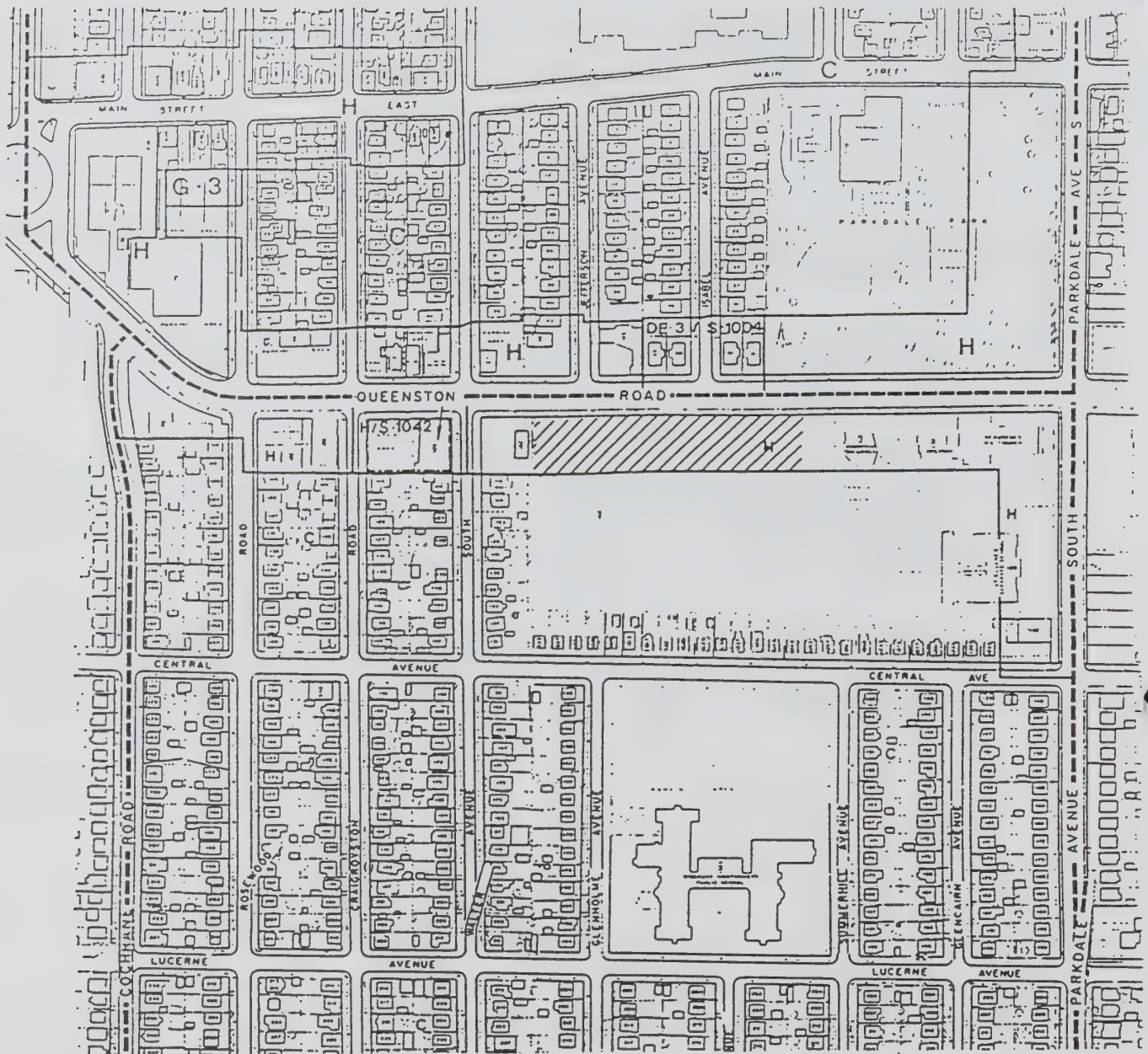
Monthly Rent: \$700.00

The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

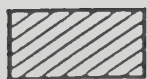
- (a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to purchase shall be prepared by the Owner and registered by the Owner at his/her expense, including payment of registration fees.
- (b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.
- (c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.

1998 January 27

Appendix "C" referred to in Section 2(a) of the SECOND Report of the Planning and Development Committee for 1998



Legend



Proposed Change in Zoning

From "H" (Community Shopping and Commercial, etc.) District.
To "C" (Urban Protected Residential, etc.) District.

Reference File No

CI-97-C

Drawn By

Date

R.L.

July 1997

Scale

Not to Scale

North





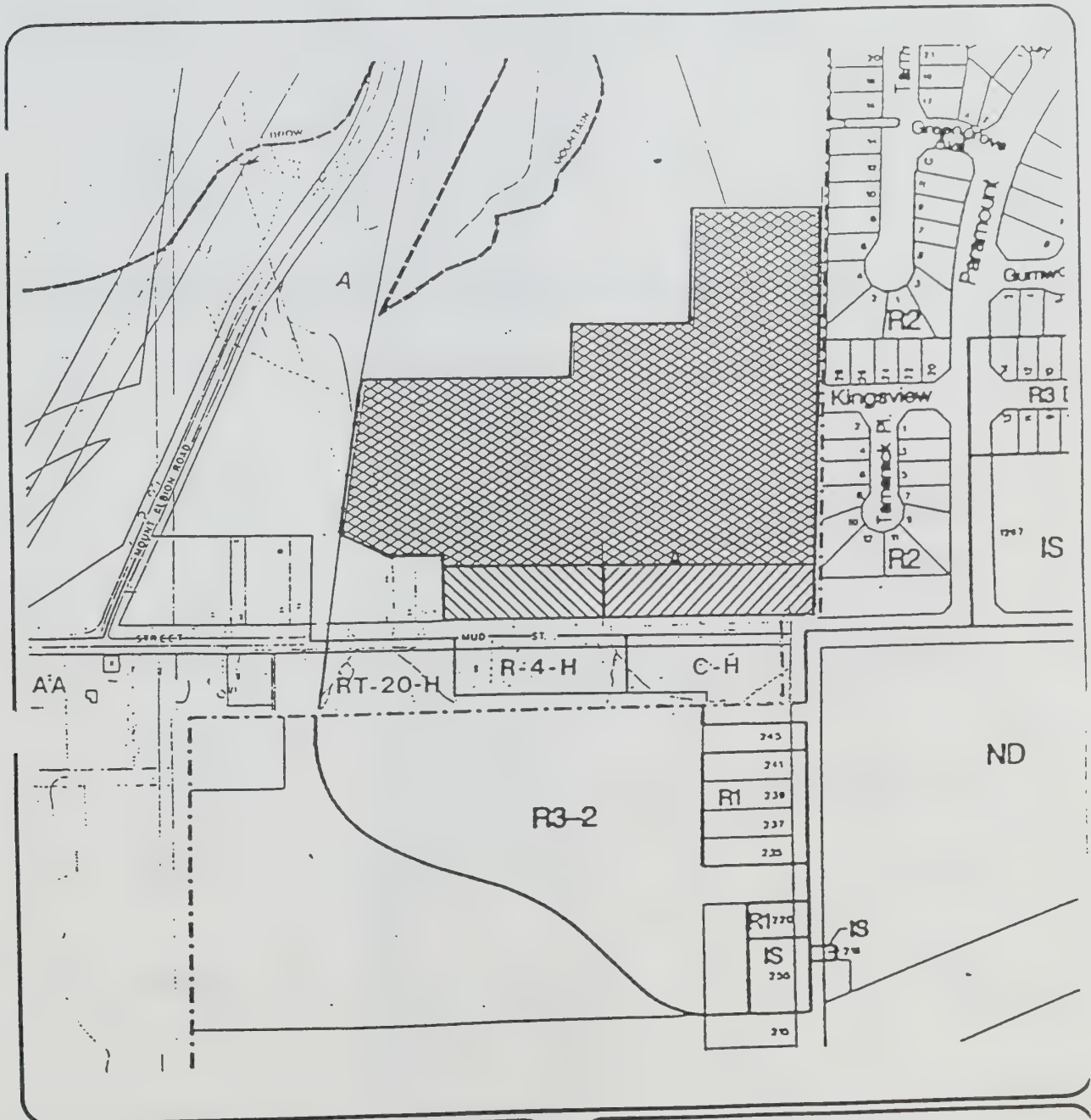
City of Hamilton

North

Reference File No
ZAC-97-30

Drawn By
R.L.





Legend

Change in Zoning from "A" (Conservation, Open Space, Parkland and Recreation) District to

BLOCK 1



"B-2" (Suburban Residential) District

BLOCK 2



"C"-H' (Urban Protected Residential, etc. - Holding) District

BLOCK 3



"R-4"-H (Small Lot Single Family Dwelling - Holding) District

City of Hamilton

Planning and Development Department

North



Scale
NOT TO SCALE

Date
NOVEMBER, 1997

Reference File No.

CI-97-D

SAR-97-06

Drawn By

B. B.

1998 January 27

Appendix "G" referred to in Section 14(a) of
the **SECOND** Report of the Planning and
Development Committee for 1998

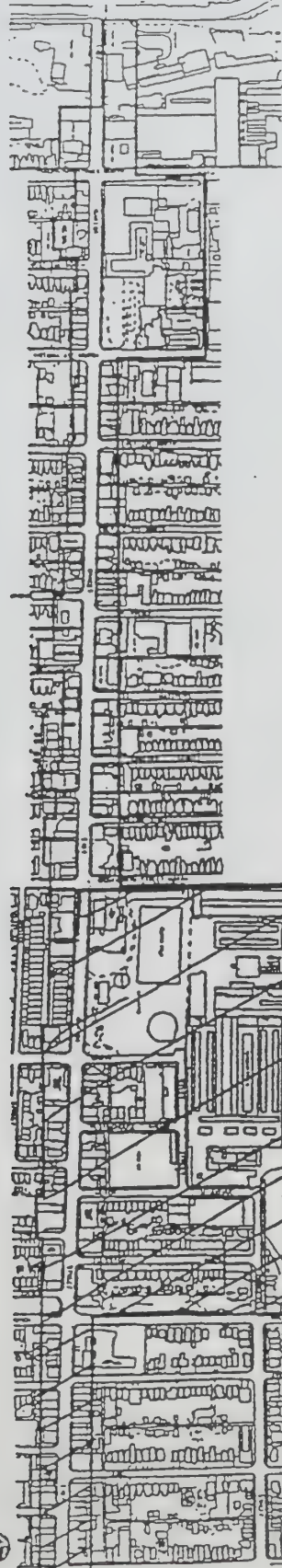
DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA (B.I.A.)

1998 BUDGET

Promotions and Special Events (Summer Programs, Sponsorships, Christmas, Other Events)	\$18,000
Administration (Rent, Meetings, Utilities, Office Expenses and Supplies, Telephone, Meetings, etc.)	\$20,000
Management Fees (For Services of Executive Director)	\$40,000
Reserve	<u>\$14,400</u>
TOTAL	<u>\$92,400</u>

1998 January 27

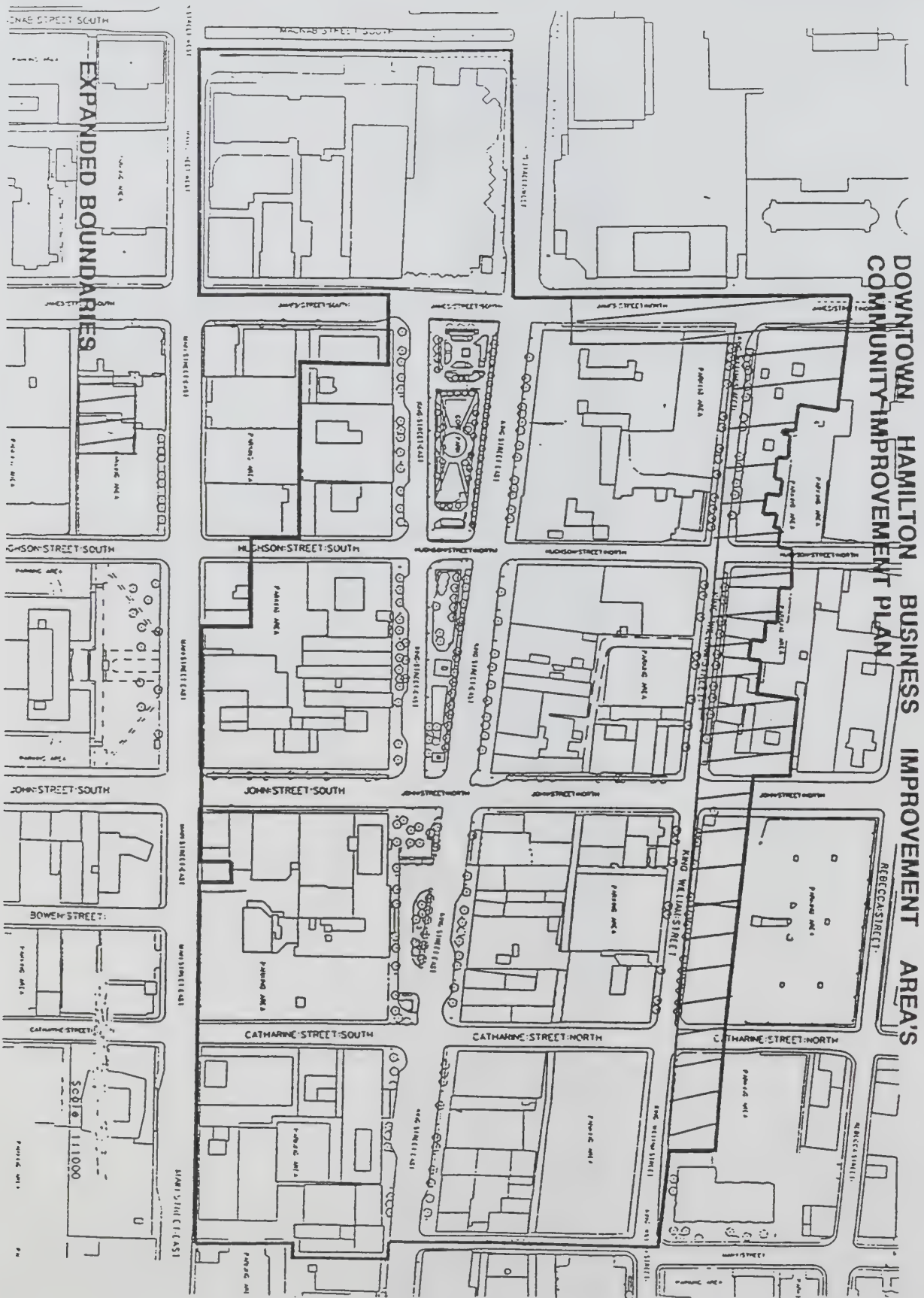
Appendix "H" referred to in Section 15(a) of
the **SECOND** Report of the Planning and
Development Committee for 1998



BARTON VILLAGE COMMUNITY IMPROVEMENT PROJECT AREA

1998 January 27

Appendix "I" referred to in Section 16(a) of the SECOND Report of the Planning and Development Committee for 1998



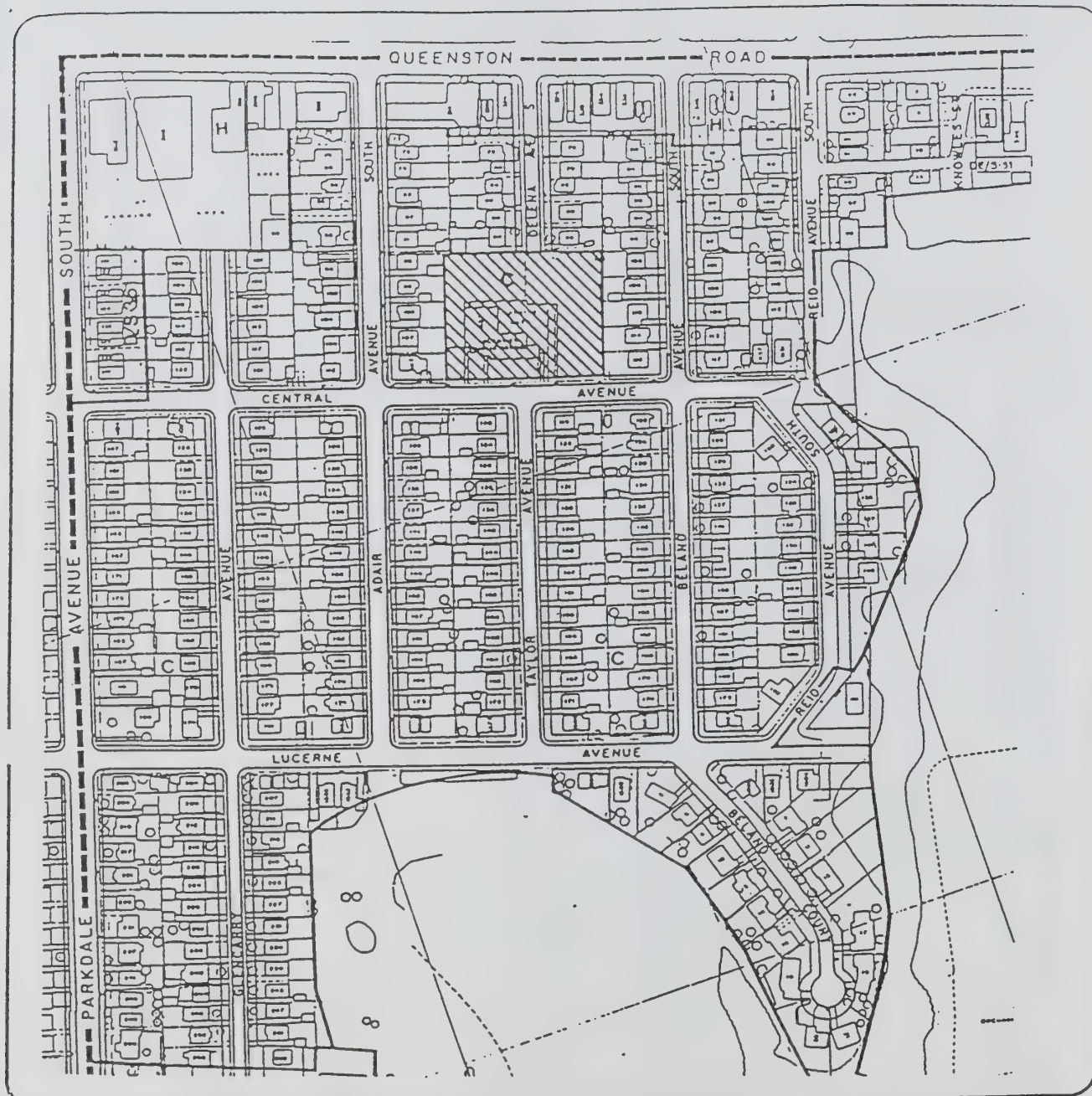
MAIN STREET WEST COMMUNITY IMPROVEMENT PROJECT AREA



EXPANDED BOUNDARIES

1998 January 27

Appendix "K" referred to in Section 19(a) of the **SECOND** Report of the Planning and Development Committee for 1998



Legend



Site of the application

City of Hamilton

Location Map

Planning and Development Department

North



Scale
NOT TO SCALE

Date
DECEMBER, 1997

Reference File No.
SAR-97-07

Drawn By
B. B.



FINANCE & ADMINISTRATION
COMMITTEE

1998 January 27

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRD** Report for 1998 and respectfully recommends:

1. (a) That the City advise Regional Council that it supports the request of the East Hamilton Optimist Club to Regional Council for the Lakeland Community Centre (excluding Lakeland Pool) to be declared a Regional capital facility, exempt from taxation for municipal and school purposes under Section 210.1 of the Municipal Act; and,

(b) That the 1997 capital grant request from the East Hamilton Optimist Club, previously tabled by the Finance and Administration Committee, be forwarded to the 1998 Capital Grant process for consideration.
2. (a) That the Province be advised that the City of Hamilton is opposed to the establishment of permanent, charity gaming clubs (charitable casinos); and,

(b) That staff be authorized and directed to bring back Terms of Reference for a study on the social and economic impact of a Casino operation in the City of Hamilton.
3. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

763 Dunn Avenue
491 Cannon St. E.

- (b) That a by-law to authorize the said Extension Agreements be enacted by Council; and,
- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

4. That the City Treasurer be directed to close the following Capital Projects Account(s) of The Parking Authority of the City of Hamilton with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
908945002	Upgrade Existing Parking Facilities	150,000	149,818.81	181.19
909245001	Study/Design of Existing/Future Parking	100,000	99,911.87	88.13
909345008	Demolition and Site Preparation	100,000	99,060.54	939.46
909445012	Study/Design-Existing Future Projects	50,000	49,910.24	89.76
909545013	Upgrade Existing Facilities	100,000	97,973.18	2,026.82
909545014	Study/Design - Existing/Future Parking	50,000	48,463.00	1,537.00

5. That the request from James Street Baptist Church for a deferral on Community Heritage Trust Fund Program loan repayments for a period of one year, up to 1998 July 31 after which time the borrower will be required to resume monthly payments of \$555.13, be approved.

6. (a) That the Interim Taxation Mill Rates for 1998 be established as follows:

Residential Rate	-	211.0000
Commercial Rate	-	361.5460

Each of the two rates are to be billed at 105.5000 mills and 180.7730 mills respectively, in each of the first two tax instalments, payable 1998 February 27th and March 31st. The Prelevy Residential Rate represents 49.782% of the 1997 Residential Rate. The Commercial Prelevy Rate is calculated in accordance with the legislation; and,

- (b) That, inasmuch as Council has decided that the Prelevy Tax Calculation as it applies to those businesses that are on the 1997 November Assessment Roll at 50% or less of the Realty Assessed Value, generates prelevy tax burdens on those properties that are excessive in relation to the taxes that may be levied on those properties in 1998, a reduction for the 1998 Prelevy will be applied as follows:

- (i) Those units that are on the 1997 November Assessment Roll at a Business Assessment Percentage of 30% or less receive a 14% Prelevy Tax Credit Adjustment; and,
 - (ii) Those units that are on the 1997 November Assessment Roll at a Business Assessment Percentage of 50% receive a 3% Prelevy Tax Credit Adjustment; and,
 - (c) That a Non-metered Water and Sewer Surcharge Prelevy, be established on behalf of the Regional Municipality of Hamilton-Wentworth, based on approximately 50% of the 1997 charge, to be billed in two equal instalments, payable 1998 February 27th and March 31st; and,
 - (d) That the City Solicitor be authorized and directed to prepare the appropriate Prelevy Taxation By-law; and,
 - (e) That the insert, attached herewith and marked Appendix "A", be included with each February Pre-levy Tax Bill and that an advertisement based on the insert appear in the Hamilton Spectator at the time of mailing of the tax bills.
7. (a) That the City Treasurer be authorized and directed to finalize an Agreement, for the provision of Financial Shared Services to the Region, in a form satisfactory to the City Solicitor, based upon the City's original proposal as amended by the report from the Treasurer dated 1998 January 15, which was presented to the Finance and Administration Committee, and available from the Committee Secretary upon request; and,
- (b) That the above-noted report from the Treasurer be amended with respect to Penalty Clauses to advise the Region that the City does not agree with penalty clauses being inserted into the Agreement; and,
- (b) That the City Treasurer report back to the Finance and Administration Committee, no later than the second scheduled meeting in 1998 February, on the progress of this initiative.
8. That as referred to in Section 4 of the First Report of the Finance and Administration Committee approved by City Council on 1997 December 11, the costs of the 1997 Non-union compensation adjustments in the amount of \$141,200 be financed from the Reserve for Tax Stabilization.

9. That as referred to in Section 14 of the Second Report for 1998 of the Parks and Recreation Committee, the contribution in the amount of \$10,000 to assist in defraying the costs of the Parks and Recreation Ontario 1998 Educational Forum conference to be held in Hamilton 1998 April 26 -29, be financed from the Hosting of Conferences with Municipal Subject Content Account CH 55307 80040.
10. That as referred to in Section 9 of the Second Report for 1998 of the Parks and Recreation Committee, the financing for Huntington Park Recreation/Retrofit be funded as follows:
 - (a) That the total project for Huntington Park Renovation/Retrofit as revised by City Council on 1993 April 13 (Eighth Report of the Finance and Administration Committee for 1993) now be revised again from \$3,385,000 to \$3,415,840 by \$30,840; and,
 - (b) That the above net additional cost of \$30,840 be financed from the Reserve for Capital Projects, Account Centre No. CH 00203; and,
 - (c) That the City Solicitor be authorized to revise the appropriate City By-Law No. 93-126 dated 1993 May 25 (previous OMB order No. E910675 dated 1991 July 11, and City By-Law No. 91-148 dated 1991 July 30) accordingly.
11.
 - (a) That the City temporarily suspend any further work on the originally contemplated pedestrian connection between the Farmer's Market and Eaton's until Yale Properties and Eaton's along with the City of Hamilton conclude the optimum way of making the connection; and,
 - (b) That the results of these discussions with Yale Properties and Eaton's come back to the Finance and Administration Committee for review.
12.
 - (a) That approval be granted for Monday, 1998 December 28, to be designated the Statutory Holiday because Boxing Day falls on a Saturday; and,
 - (b) That City Hall services along with some of the other municipal facilities and services except emergency services (fire, snow clearing, dispatch) not be provided between Christmas Day and New Year's Day on 1998 December 29, 30 and 31; and,
 - (c) That the Region of Hamilton-Wentworth be requested to similarly declare 1998 December 28, a Statutory Holiday and to provide only emergency services between Christmas Day and New Year's Day.

13. That the following recommendation, approved via a poll of the Members of the Finance and Administration Committee, conducted on Tuesday, 1998 January 13th and unanimously approved, be ratified:
 - (a) That in response to requests for assistance from Eastern Ontario and areas of Quebec Province as a result of severe weather conditions, that the following be provided:
 - (i) Generators to be operated by trained personnel in Perth, Ontario; and,
 - (ii) Two City Forestry crews (10 men), along with trucks and forestry equipment, for a minimum of 5 days for the purpose of cleaning up the debris of branches and trees in Lanark-Highland Township, Ontario; and,
 - (b) Supply of fire wood from City forestry operations, with delivery supplied by others at no cost to the City; and,
 - (c) That funding for this assistance be provided to an upset limit of \$50,000; and,
 - (d) That the cost for assistance for Eastern Ontario as a result of severe weather conditions in an amount not to exceed \$50,000, be financed from the Reserve for Contingency, Account Centre No. CH 00115.
14. That the original approved budget allocation from the Downtown Partnership Account for the Downtown Vision Workshop to be conducted by Mr. Gianni Longo of American Communities Partnership be increased from \$10,000 to \$35,000.
15. That a purchase order be issued to City Maintenance (formerly known as RCM Contracting Ltd.) to supply various maintenance services as and when required by the Real Estate Division of the City Clerk's Department and the Building Department during 1998, 1999 and 2000 being the most acceptable of the six (6) tenders received in accordance with the specifications issued by the Manager of Purchasing and Vendor's Tender, and be financed through the Building Department's Property Standards Account No. CH 56390 50001, and the City Clerk's Department Building Repairs - Civic Properties Account No. CH 57301 31106.

Hourly Rate One Person Operation	\$25
Hourly Rate Two Person Operation	\$35
Hourly Rate Three Person Operation	\$45
Hourly Rate for Rubber Tire Backhoe with Operator	\$40

16. That the Director of Culture and Recreation, in consultation with the City Clerk, the Regional Clerk, the Director of Information Systems, and Members of Council, prepare recommendations and options to upgrade the technology in use in the Council Chambers including audio-visual equipment, television access, and computer access.
17.
 - (a) That the City renew its membership for 1998 with the Association of Municipalities of Ontario at a fee of \$13,928.02; and,
 - (b) That staff be authorized to remit this payment at a cost to be financed from Account No. CH 56011-10032 - Memberships.
18. That the Chairman of the Finance and Administration Committee or his designate, and two other members of the Finance and Administration Committee, be authorized to attend the Special Meeting of members of the Association of Municipalities of Ontario being held on 1998 February 6th in Toronto for the purpose of discussing a strategy for dealing with recent provincial government announcements regarding the allocation of financial responsibilities stemming from the Who Does What process as well as proposed changes to the Association's structure and operations.
19.
 - (a) That staff and resources be made available to Alderman B. Charters in his role as the City's liaison with the Federal government in the drafting of the Letters Patent of the Hamilton Port Authority; and,
 - (b) That staff provide monthly reports to the Finance and Administration Committee, copied to all members of City Council, with respect to the Letters Patent for the Hamilton Port Authority and with respect to the City's past claim to surplus profits from the Hamilton Harbour Commissioners; and,
 - (c) That the City Solicitor be directed to provide a report back to the Finance and Administration Committee with an opinion on the City's right under the Canada Marine Act.
20.
 - (a) That the operation of the Municipal Community Centre at 45 Ellis Street, Hamilton, by The Hamilton East Kiwanis Boys' and Girls' Club Inc. be declared a Municipal Capital Facility for the purposes of the municipality and is for a public use; and,
 - (b) That the appropriate By-law under Section 210.1 of the Municipal Act be enacted to authorize an Agreement with The Hamilton East Kiwanis Boys' and Girls' Club Inc. to operate the Municipal Community Centre at 45 Ellis Street; and,

- (c) That the City Solicitor and the Director of Culture and Recreation be authorized to negotiate a Municipal Capital Facility Agreement with The Hamilton East Kiwanis Boys' and Girls' Club Inc. for the use of 45 Ellis Street.
- 21. That authorization be given to issue a purchase order in the amount of \$68,568.81 inclusive of GST (\$4,485.81) to Honeywell Limited of Hamilton to supply and install 10 FS90 fire panels within Copps Coliseum.
- 22. That City Council endorse the Strategic Direction for New Capital and Capital Maintenance Projects for City-owned buildings not dedicated to culture and recreation purposes as described in the document attached hereto and marked Appendix "B".
- 23. That authorization be given to establish an open order with Dafco Filtration Products Limited on a per unit cost basis for the years 1998, 1999, 2000. Estimated yearly cost of filters approximately in the \$35,000. to \$40,000. Dafco Filtration Products Limited was the lowest acceptable tender received in accordance with the specifications (REF: C20-2997) issued by the Purchasing Division.
- 24.
 - (a) That a purchase order be issued to Smeal Fire Apparatus Co., West Snyder, Nebraska, in an amount not to exceed \$888,350.38 (Canadian Funds) including all applicable taxes, for the supply and delivery of one (1) Combination Aerial Ladder Truck, in accordance with the specifications issued by the Purchasing Division and the Vendor's Tender. This bid is the lowest acceptable bid received; and,
 - (b) That this expenditure be financed through Capital Account CF 5531 489851027 - Replacement of Snorkel Truck; and,
 - (c) That the Mayor and the City Clerk be authorized and directed to execute the above mentioned contract in a form satisfactory to the City Solicitor.
- 25.
 - (a) That the City decline to accept the Plaintiff's Offer to Settle Ontario Court (General Division) Action No. 11065/95 for the payment to the Plaintiff, Dorothy Askey, of the sum of \$22,203 inclusive of damages, interest and costs; and,
 - (b) That the City make an Offer to Settle in Ontario Court (General Division) Action No. 11065/95 in the following terms:

- (i) That the City will pay to the Plaintiff, Dorothy Askey, the sum of \$14,100 inclusive of damages, interest and costs; and,
 - (ii) That the Plaintiff will provide the City of Hamilton with a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (iii) That this action will be dismissed without costs; and,
 - (iv) This Offer remains open for acceptance until withdrawn, or until the commencement of Trial whichever first occurs.
26. (a) That the City resolve Ontario Court (General Division) Action # 13519/96 by the payment to the Plaintiff, Dorothy Espey, of the sum of \$5,000 inclusive of all claims for damages, interest and costs; and,
- (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
- (c) That Ontario Court (General Division) Action # 13519/96 be dismissed without costs.
27. (a) That the City of Hamilton decline to accept the Plaintiffs' Offer to Settle Ontario Court (General Division) Action No. 8527/95 whereby the City of Hamilton would pay to the Plaintiff the sum of \$15,000, plus legal costs; and,
- (b) That the City of Hamilton Offer to Settle all outstanding issues in Ontario Court (General Division) Action No. 8527/95 on the following terms:
- (i) The City of Hamilton pay to the Plaintiffs Marta Powell, Jolana Fodor and Robert Powell the sum of \$3,500, inclusive of all claims for damages, interest and costs; and,
 - (ii) That the Plaintiffs' be required to execute a full and final release in a form satisfactory to the City Solicitor; and,
 - (iii) That Ontario Court (General Division) Action No. 8527/95 be dismissed without costs; and,
 - (iv) That this Offer to Settle remains open for acceptance until withdrawn, or until the commencement of trial, whichever first occur.

28. That the City decline to accept the Plaintiffs' Offer to Settle Ontario Court (General Division) Action No. C14260/94 by the payment to the Plaintiffs Phyllis Honsberger and Gaye-Ann Pracsovics the amount of \$26,920.37 plus prejudgment interest, plus costs.
29.
 - (a) That the City resolve all outstanding issues in Ontario Court (General Division) Action No. 10038/95 by the payment to the Plaintiffs, Angela, Domenico, Donatella, Barbara, Denise and Patricia Pepe, of the sum of \$5,000 inclusive of all claims for damages interest and costs; and,
 - (b) That the Plaintiffs be required to obtain a Judge's approval of the infant portion of the settlement; and,
 - (c) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (d) That Ontario Court (General Division) Action No. 10038/95 be dismissed without costs.
30.
 - (a)
 - (i) That 2, 4, 6, 8, 10, and 12 Tamarack Place be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
 - (ii) That the Real Estate Division be authorized and directed to sell these properties in accordance with the Real Property Sales Procedural By-law; and,
 - (b)
 - (i) That an Offer to Purchase the rear land at 2 Tamarack Place for the price of \$5,328, executed by A.D. and L.A. Vacca dated 1997 December 8, be accepted. The said land has an area of 110 square metres (1,184 square feet) more or less, being Part 1 on Plan 62R-13664, said transaction scheduled to close on 1998 March 31. Funds derived from this sale be credited to Account Centre CH 00102 (Reserve for Property Purchases); and,
 - (ii) That the required deposit cheque in the amount of \$533 be held by the City Treasurer pending Council approval; and,

- (c) (i) That an Offer to Purchase the rear land at 4 Tamarack Place for the price of \$4,842, executed by P.P. Fticar dated 1997 December 4, be accepted. The said land has an area of 100 square meters (1,076 square feet) more or less, being Part 2 on Plan 62R-13664, said transaction scheduled to close on 1998 March 31. Funds derived from this sale be credited to Account Centre CH 00102 (Reserve for Property Purchases); and,
- (ii) That the required deposit cheque in the amount of \$484 be held by the City Treasurer pending Council approval; and,
- (d) (i) That an Offer to Purchase the rear land at 6 Tamarack Place for the price of \$4,842, executed by N. and M. Starcevic dated 1997 December 3, be accepted. The said land has an area of 100 square metres (1,076 square feet) more or less, being Part 3 on Plan 62R-13664, said transaction scheduled to close on 1998 March 31. Funds derived from this sale be credited to Account Centre CH 00102 (Reserve for Property Purchases); and,
- (ii) That the required deposit cheque in the amount of \$484 be held by the City Treasurer pending Council approval; and,
- (e) (i) That an Offer to Purchase the rear land at 8 Tamarack Place for the price of \$6,781, executed by M.J. and C.J. McHugh dated 1997 December 3, be accepted. The said land has an area of 140 square metres (1,507 square feet) more or less, being Part 4 on Plan 62R-13664, said transaction scheduled to close on 1998 March 31. Funds derived from this sale be credited to Account Centre CH 00102 (Reserve for Property Purchases); and,
- (ii) That the required deposit cheque in the amount of \$678 be held by the City Treasurer pending Council approval; and,
- (f) (i) That an Offer to Purchase the rear land at 10 Tamarack Place for the price of \$11,140, executed by D. and D.J. Therrien dated 1997 November 29, be accepted. The said land has an area of 230 square metres (2,476 square feet) more or less, being Part 5 on Plan 62R-13664, said transaction scheduled to close on 1998 March 31. Funds derived from this sale be credited to Account Centre CH 00102 (Reserve for Property Purchases); and,
- (ii) That the required deposit cheque in the amount of \$1,114 be held by the City Treasurer pending Council approval; and,

- (g)
 - (i) That an Offer to Purchase the rear land at 12 Tamarack Place for the price of \$1,937, executed by M.A. and D.A. Garon dated 1997 November 29, be accepted. The said land has an area of 40 square metres (430.55 square feet) more or less, being Part 6 on Plan 62R-13664, said transaction scheduled to close on 1998 March 31. Funds derived from this sale be credited to Account Centre CH 00102 (Reserve for Property Purchases); and,
 - (ii) That the required deposit cheque in the amount of \$194 be held by the City Treasurer pending Council approval; and,
 - (h) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) Satisfactory notice has been given to the public of the intended sale; and,
 - (ii) No appraisal of fair market value of the real property intended to be sold has been obtained as land that does not have direct access to a highway and is being sold to the owner of land abutting that land is exempt from the appraisal requirement of Section 193 of the Municipal Act.
- 31.
 - (a) That an Offer to Purchase Agreement for 1319 Main Street East for the price of \$50,000, executed by S. Syal and S. Syal, dated 1997 November 25, be accepted. The said lands being composed of Lot 69, Plan 527, have a frontage of 9.144 metres (30.0 feet) more or less, along the northerly limit of Main Street East and a depth of 30.48 metres (100.0 feet) more or less. The lands and buildings were vested with the Corporation of the City of Hamilton as a consequence of proceedings under the Municipal Tax Sales Act, R.S.O. 1990, Chapter M.60 as amended. Funds derived from this sale of \$50,000, less a commission of \$3,000, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,
 - (b) That the required deposit cheque in the amount of \$5,000 be held by the City Treasurer pending Council approval; and,
 - (c) That upon successful completion of this sale, a real estate commission of \$3,000 (6% of the \$50,000 sale price) be paid to Chambers & Company Limited (Sales Representative Frank Caravaggio), who acted in this matter; and,

- (d) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) Satisfactory notice has been given to the public of the intended sale; and,
 - (ii) An appraisal of the fair market value of the real property intended to be sold was obtained on 1998 January 20.
- 32. That the formula to annually adjust the salaries of the Mayor and City Aldermen based on December 1 data, as the lesser of 5% or the annual increase in the Consumer Price Index, of the 12 months of the preceding year be re-instituted.
- 33. (a) That the City of Hamilton fund 50% (\$2,350) of the gross \$4,700 cost for an early retiree OMERS bridging arrangement; and,
 - (b) That this amount be funded first, from any operating surplus within the Human Resources Centre Budget, and second, the City Treasurer recommend a method of financing.
- 34. To acquire two parcels of vacant land for highway and municipal purposes to complete the extension of Elmore Drive, it is recommended:
 - (a) That, in accordance with the Expropriations Act, Council, as an approving authority, approve the application of the City to expropriate land for highway and municipal purposes, such lands, each measuring 33 feet by 100 feet and described as Parts 2 and 5, Plan 62R-1132, being rear portions of two properties known as 1472 and 1496 Upper Gage Avenue; and,
 - (b) That, having considered the reports of the Inquiry Officer with respect to Parts 2 and 5, Council, as approving authority, has approved the proposed expropriation because the lands are reasonably necessary in the achievement of the objectives of the expropriating authority; and,
 - (c) That the City Clerk be authorized and directed to give Notice of the City's decision and reasons in accordance with the Expropriation Act; and,
 - (d) That Council, as approving authority, authorize the City Solicitor to prepare appropriate by-laws to expropriate the lands for highway and municipal purposes.

1998 January 27

35. That a Task Force consisting of Alderman D. Wilson, Alderman C. Collins, Alderman F. D'Amico and appropriate staff be struck to report back on a full Study of the Hamilton Parking Authority and the Downtown.
36. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) D-7 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
 - (b) D-8 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

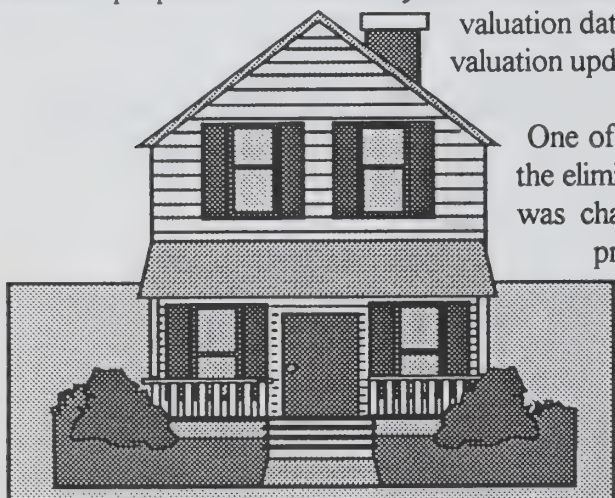
**ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1998 January 20**

1998 MUNICIPAL TAXATION

City of
HAMILTON

The Province of Ontario has passed Legislation that will effect the calculation of your municipal taxes. Traditionally, in Hamilton-Wentworth and across the Province, assessments are based on the market value of properties for different years. These changes will update all property values to a June 30, 1996 valuation date and the Legislation commits to a schedule for future valuation updates.



One of the most significant changes to municipal taxation is the elimination of the Business Occupancy Tax (BOT), which was charged to each business operator. The tax revenues previously generated from this source must now be recovered from real property taxation.

1998 Pre-Levy Tax Billing

The 1998 **residential pre-levy tax bills** are based on "preliminary" realty assessment values taken from the November 1997 return of the assessment roll. The pre-levy tax bills will be based on the old assessment values, not the new Current Value Assessments. As in previous years, the taxes billed are calculated by multiplying the old assessment values by approximately 50 % of the prior years residential mill rate, as indicated in the legislation. Accordingly, neither the effects of provincial downloading nor changes to education financing make up a portion of the pre-levy bill.

The 1998 **non-residential pre levy tax bills** are based on "preliminary" commercial assessment values taken from the November 1997 return of the assessment roll. The commercial prelevy mill rate, calculated in accordance with the provincial legislative direction is then applied to each commercial assessment to arrive at a prelevy taxation amount on each property. You will note that the difference between the residential prelevy mill rate and the commercial one is much larger than it has been in the past. Part of that difference is attributed to the legislation allowing the municipality to levy the commercial prelevy mill rate rather than the residential one on all commercial property assessment. The remainder of that difference is made up of the addition of what had been the business occupancy tax onto the commercial realty taxation billing. Again, the effects of provincial downloading and changing education financing are not part of the pre-levy billing.

1998 Levy Tax Billing

Traditionally, taxes have been based on residential and commercial mill rates. The new Legislation will create new property classes and the requirement for a different tax rate for each of the new tax classes. The Province has also made changes to the manner in which Education taxes are levied. Commencing in 1998, provincial wide education tax rates will be set for residential and non-residential taxation and added to municipal tax bills. The local Boards of Education previously determined these rates.

There will be a reduction in the amounts levied for education purposes in 1998 for residential taxpayers, as the Province is assuming partial responsibility. However, it is projected that the tax savings may be more than offset by an increase in the Regional and City portions of the levy due to the downloading of responsibilities to the Region and the City by the Province of Ontario.

What you can expect

The Province, through the Ministry of Revenue and their Regional Assessment Offices, is in the process of forwarding assessment notices to each property owner. Those notices will reflect the new **current value assessment** and those values will become the basis for municipal taxation. Instructions with respect to speaking to a regional assessment representative will accompany the assessment notices. At the same time, municipal governments are expending much time and effort interpreting the new legislation, making appropriate policy decisions and redesigning their tax billing systems to incorporate the new requirements. In accordance with the legislation, the majority of the policy decisions are to be made by the regional level of government and the formulation of those decisions is ongoing. For these reasons, the City of Hamilton is not in a position to comment on projected 1998 individual property tax bills.

Other changes proposed in the Legislation

The Province of Ontario has also proposed changes in the Legislation, which will allow municipalities to ease the impact of reassessment for taxpayers. However, tax increases, as a result of changing responsibilities between levels of government and associated costs, can not be phased in, nor can they be deferred under a tax deferral scheme. As indicated previously, the implementation of programs designed to ease reassessment impacts, depend on policy decisions that are to be made by the Region of Hamilton-Wentworth. The legislation provides for the following programs:

- a) Phased in tax increases/decreases.
- b) A tax deferral scheme for qualified senior/disabled persons.
- c) A tax rebate program for qualified charitable organizations.
- d) Graduated commercial mill rates.

Before any decisions can be made concerning the criteria for any of the above noted programs much analysis is required. The data needed for the analysis has only recently been distributed to each municipality in the Province, by the Ministry of Revenue. As decisions are made and local policy is formulated the City will keep you updated. Inasmuch as further details are as yet unavailable the City would encourage you to wait for further notice in this regard.



CULTURE AND RECREATION FACILITIES AND BUILDINGS

STRATEGIC DIRECTION

NEW CAPITAL AND CAPITAL MAINTENANCE PROJECTS

OVERVIEW:

The Department of Culture and Recreation exists to enhance the quality of life in the City Hamilton through the provision of arts, heritage, sport and recreation services. It has also been assigned responsibility for the stewardship and management of all city-owned buildings and facilities.

The building inventory includes up to 200 properties and includes City Hall, fire stations, museums, arenas, recreation centres, major outdoor stadia, fieldhouses, tennis and lawn bowling facilities and other civic properties. The Kings Forest and Chedoke Civic Golf Courses and Chedoke Winter Ski Park further add to this list of properties under the jurisdiction of the Department.

The functions and uses of these buildings vary greatly. City Hall, for example, serves as the focal point for civic life in our community. It is a meeting place, a place of business and a downtown attraction.

For the past number of years, up to three civic departments have given consideration to the capital requirements of the city's buildings and facilities. Through a series of reorganizations City Council has now concentrated this responsibility with the Director of Culture and Recreation.

Staff of the Department have just completed a total review of capital needs and capital budget development processes and are presenting this Strategic Plan for the consideration and approval of City Council for implementation for the 1998 Ten Year Capital Plan.

MISSION:

Buildings and facilities in the ownership of the City of Hamilton set the standard for appearance, cleanliness, energy efficiency and ease of access and use. Pride of ownership is an essential element of being a good neighbour. The City's buildings and facilities reflect taxpayers' pride in their heritage, their community and their institutions.

The staff of the Department of Culture and Recreation are committed to achieving this mission in fulfilment of their role as stewards and managers of the City's inventory of buildings and facilities.

We will achieve this mission by adhering to the principles outlined in this plan and by adhering to a planning process that ensures that:

- * need for buildings and facilities is clearly understood
- * use of buildings and facilities drives design and construction
- * designs for retrofits and new construction balance use, design, maintenance and safety objectives

PRINCIPLES:

1. FUNCTIONAL AND USER-FRIENDLY BUILDINGS AND FACILITIES:

All buildings and facilities must provide a positive environment in order to ensure that the intended uses can be carried out effectively and efficiently.

3. ENERGY EFFICIENT AND ENVIRONMENTALLY FRIENDLY BUILDINGS AND FACILITIES:

The development of a strategic energy plan; increased investment in building automation system technology and modernization of the Central Utilities Plant through the District Heating initiative will maximize energy efficiency, thereby reducing costs and ensure compliance with global environmental initiatives in the area of greenhouse gases. The application of other environmentally friendly objectives will carefully considered.

3. BUILDINGS AND FACILITIES THAT MAXIMIZE CAPITAL INVESTMENT THROUGH PROACTIVE LIFE CYCLE MAINTENANCE:

The capital construction and maintenance programs ensure that buildings and facilities perform up to and beyond city and industry standards throughout their life cycle.

4. BUILDINGS AND FACILITIES WILL BE BARRIER FREE

All facilities will renovated or constructed in accordance with the Barrier Free Standards to ensure that all residents can have access to services provided at city facilities.

CURRENT STATE:

The vast majority of the City's buildings are near or at the end of their normal life cycle. Past capital planning approaches have been specific and fragmented. The mandate in the recent past has been simply to fix what is broken. Until recently, little attention has been paid to evaluation of use and aesthetics.

PREFERRED STATE:

In order to achieve the Mission, it is necessary to adopt a broader and more aggressive capital strategy. Balance must be achieved relative to use, maintenance, design and safety. The capital review and prioritization process documents and recommends capital priorities on a more coordinated and systematic way.

This "Total Building Approach" will ensure that any future investment will return full value in terms of programming and efficiency of operation.

ASSET MANAGEMENT PROGRAM:

Staff are proposing the adoption of an Asset Management Program. By its very name, the program assumes that each and every one of the city's buildings and facilities is an "asset" in true financial terms. As such, it is imperative that the value of these public assets be protected and enhanced.

Beyond financial considerations, these public assets fulfil a civic purpose in that they are used for a variety of needed and important functions.

The Total Building Approach that characterizes the Asset Management Program examines each building and facility in its totality and considers capital requirements across a number of dimensions:

1. PROGRAMMING:

For what purpose is the asset intended to be used? Does the current state of the asset facilitate the full and effective use? Does it meet current trends and standards relative to use? Is it organized in such a way as to maximize revenues, should this be an element of its use?

2. IMAGE:

Does the asset present an external appearance in keeping with the Mission? Does it have an attractive address? Is the asset present an appealing internal appearance? Are users comfortable?

3. OPERATIONAL MAINTENANCE:

Does the asset perform to code, city or industry standards? Is it energy efficient? Is it time to replace major infrastructure elements? What's worn out? What needs to be replaced? What needs to be done to support changes to programming?

PRIORITIES:

Staff of the Department of Culture and Recreation Department, in consultation with stakeholders have developed a draft Ten Year Capital Plan for each asset for consideration during the 1998 Capital Budget based on the principles of this strategy.

1998 January 27

Priority will continue, in the short term, to be placed on the evaluation and retrofit of existing assets.

New projects will also be evaluated based on service need and financial impact.

N O M I N A T I N G C O M M I T T E E

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1998 JANUARY 27
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Herkimer	Eastbound	Kent
Roland	Northbound	Regent
Eagleglen	Eastbound and Westbound	Upper Paradise."

2. That **Schedule 19 (No U-Turn at Certain Intersections)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Southampton	Westbound	Grandoaks."
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3. That **Schedule 29 (No Stopping Areas)** of said By-law is hereby amended by adding thereto the following items namely:-

"Hughson	West	King to King William	Anytime
Hughson	West	Main to 50 feet northerly	Anytime
Hughson	West	King to 75 feet southerly	Anytime
Hughson	West	King to Main 7:00 am - 9:00 am	Mon - Sat
Hughson	West	King to Main 4:00 pm - 6:00 pm	Mon - Sat
Jackson	North	John to 105 ft. westerly	Anytime
Jackson	North	commencing 155 ft. west of John to a point 107 ft. west of MacNab	Anytime

Jackson	South	MacNab to 44 ft. easterly	Anytime
Jackson	North	Catharine to 36 ft. easterly	Anytime
Jackson	North	commencing 121 feet east of Catharine and extending 51 ft. easterly	Anytime
Jackson	North	commencing 105 ft. west of John to 50 ft. westerly	Anytime
Wexford	West	Central to Monterey 8am - 5pm	Mon-Fri."

and by deleting therefrom the following item, namely:-

"Hughson	West	Main to King William	Anytime
Jackson	North	John to City Hall	Anytime."

4. That **Schedule 30 (Commercial Vehicle Loading Zones)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Jackson	North 70 ft.	30 ft. west of Walnut	7:00 am - 6:00 pm Mon - Sat."
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and by deleting therefrom the following items, namely:-

"Jackson	North	70 ft.	30 ft. west of Walnut	Anytime
Jackson	North	31 ft.	127 ft. west of MacNab	Anytime
Hughson	West	50 ft.	100 ft south of King	9:00 am - 11:00 am
King William	North	50 ft.	26 ft. west of Wellington	Anytime."

5. That Schedule 35 (Wheelchair Loading Zones) of said By-law be amended by adding thereto the following items, namely:-

"King William	North 44 feet	97 feet west of the west curb line of Walnut	Anytime."
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6. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

PASSED this day of 1998.

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Part 1** of said By-law is hereby amended by deleting therefrom **Section 3**, in its entirety, and by inserting in its place the following section:-

"Enforcement

3. It shall be the duty of the members of the Hamilton-Wentworth Regional Police, and duly appointed Special Constables and By-law Enforcement Officers of the City of Hamilton, generally to control and direct traffic, give such directions and do such things as may be necessary for that purpose, and enforce the provisions of this by-law."
2. That **Part 1** of said By-law is hereby amended by deleting therefrom **Section 3a**, in its entirety.
3. That **Schedule 9 (Through Highways)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Aberdeen Avenue, from the easterly limit of Bay Street to the easterly limit of Hess Street."

and by deleting therefrom the following item, namely:-

"Aberdeen Avenue, from the easterly limit of Bay Street to the easterly limit of Queen Street."

4. That **Schedule 24 (Parking Meter Locations)** of said By-law is hereby amended by adding to **Section 1(a)** thereof the following items, namely:-

"Walnut	West	King to Main
Jackson	South	James to MacNab
Jackson	North	MacNab to City Hall."

and by adding to **Section 3(b)** thereof the following items, namely:-

"MacNab	East	York to Vine
Park	West	York to Vine
Vine	North	MacNab to James
Vine	South	Park to James."

and by deleting therefrom the following item; namely:-

"Vine	South	Park to MacNab."
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and by deleting from Part 4(b) the following item; namely:-

"Vine	South	James to MacNab."
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and by deleting from Part 5 the following item; namely:-

"Vine	South	1st west of MacNab."
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5. That **Schedule 25 (Parking Time Limits)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Belview	West	King to Dunsmure	1hr	8am - 8am (24 hrs)	Mon-Sun
Holmes	Both	Leland to Emerson	1hr	8am - 6pm	Mon-Fri
East 22nd	West	commencing 142 feet south of Concession and extending 297 feet southerly therefrom	2hr	8am - 6pm	Mon-Fri
East 22nd	East	commencing 143 feet south of Concession and extending 294 feet southerly therefrom	2hr	8am - 6 pm	Mon-Fri
Sanders	South	West Park to Westbourne	1hr	8am - 6 pm	Mon-Fri
Sanders	North	West Park to Daleview	1hr	8am - 6 pm	Mon-Fri
Pearl	East	Hunter to Bold	1hr	8am - 8am (24 hrs)	Mon-Fri."

6. That **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Mary	East	commencing 166 feet north of King and extending 62 feet northerly therefrom	Anytime
Vine	North	Bay to MacNab	Anytime
King William	North	commencing 63 feet west of Wellington and extending 24 feet westerly therefrom	Anytime
Jackson	South	Wellington to James	Anytime
Belview	East	King to Dunsmure	Anytime
Jackson	South	MacNab to City Hall Entrance	Anytime
Clinton	North	Ruth to Barnesdale	Anytime
Ofield	North	Ewen to 181 feet westerly	Anytime
Ofield	South	Ewen to 98 feet westerly	Anytime."

and by deleting therefrom the following items, namely:-

"Walnut	West	Main to King	Anytime
Jackson	North	commencing at Catharine and extending 45 ft. easterly	Anytime
Jackson	South	Wellington to City Hall Entrance	Anytime
Vine	North	James to Park	Anytime
Vine	North	Park to Bay	Anytime."

and by adding to **Part (A)** thereof the following item, namely:-

"Rebecca	South	23 ft.	75 ft. east of James	8:00 am - 6:00 pm Mon to Sat."
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and by deleting from **Part (A)** thereof the following item, namely:-

"Rebecca	South	23 ft.	75 ft. east of James	Anytime."
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7. That **Schedule 27 (Alternate Side Parking)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Belview Avenue Dunsmure Road to Cannon Street East	West	East
Clinton Street Sherman Avenue North to Ruth Street	South	North
Clinton Street Barnesdale Avenue North to Lottridge Street	South	North."

and by deleting therefrom the following item, namely:-

"Belview Avenue King Street East to Cannon Street East	West	East
Clinton Street Sherman Avenue North to Lottridge Street	South	North."

8. That **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Paling	West	commencing 705 feet south of Barton and extending 20 feet southerly therefrom	Anytime
Inchbury	East	commencing 113 feet north of Florence and extending 16 feet northerly therefrom	Anytime."

and by deleting therefrom the following items, namely:-

"Charlton	South	commencing at a point 150 feet east of Kent to a point 18 feet easterly therefrom	Anytime
East 21st	East	commencing at a point 238 feet south of Concession and extending 22 feet southerly therefrom	Anytime."

9. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

PASSED this _____ day of _____ 1998.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend By-law No. 88-11

Respecting:

THE BARTON VILLAGE COMMUNITY IMPROVEMENT PROJECT AREA

WHEREAS subsection 28(2) of the Planning Act, 1990 provides as follows:

(2) **Designation of community improvement project area.** -- Where there is an official plan in effect in a local municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area;

AND WHEREAS the Official Plan of the City of Hamilton approved by the Minister on June 1, 1982, contains provisions relating to community improvement in the City of Hamilton;

AND WHEREAS it is desirable to expand the Barton Village Community Improvement Project Area, designated by By-law No. 88-11, passed on the 12th day of January 1988.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The area described in Schedule "A" and shown as Area A and Area B on Schedule "B" both annexed hereto and forming part of this by-law, is hereby designated as a Community Improvement Project Area.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

SCHEDULE "A"
DESCRIPTION OF THE BARTON VILLAGE
COMMUNITY IMPROVEMENT PROJECT AREA

The land located in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, described as follows;

Commencing at a point in the western limit of Wellington Street, distant one hundred and twenty four feet north of the north limit of Barton Street,

Thence northerly along the said western limit of Wellington Street to its intersection with the westerly production of the southern limit of Copeland Avenue as closed by City of Hamilton By-Law 71-101 and 738, registered as Instrument 201532 AB and 84 By-Law, respectively.

Thence to and along the said southern limits of the said Copeland Avenue as closed and its easterly production to a point in the eastern limit of Victoria Avenue.

Thence southerly along the said eastern limit of Victoria Avenue to the north west corner of Lot 2, Registered Plan 33.

Thence easterly along the northern limit of the said Lot 2 and its easterly production to its intersection with the western limit of Lot 29, Registered Plan 33.

Thence southerly along the western limit of said Lot 29 to a point distant eighty point two five feet (80.25') north of the north limit of Barton Street.

Thence easterly parallel with the north limit of Barton Street to the eastern limit of East Avenue.

Thence southerly along the eastern limit of East Avenue to a point distant fifty five feet (55.0') north of the north limit of Barton Street.

Thence easterly parallel with the north limit of Barton Street to its intersection with the western limit of Lot 59, Registered Plan 33.

Thence northerly along the western limit of said Lot 59 to the north west corner thereof.

Thence easterly along the northern limit of said Lot 59 and its easterly production to a point in the eastern limit of Emerald Street, being the western limit of Lot 1, Registered Plan 133.

Thence southerly along the eastern limit of Emerald Street to a point distant ninety feet (90.0') north of the north limit of Barton Street.

Thence easterly parallel with the north limit of Barton Street to a point in the western limit of Lot 4, Registered Plan 133.

Thence northerly along the said western limit of Lot 4 to the north west corner thereof.

Thence easterly along the northern limits of Lot 4, 5 and 6, Registered Plan 133 and the easterly production to its intersection with the eastern limit of Oak Avenue, being the western limit of Lot 1, Registered Plan 260.

Thence northerly along the said western limit of Lot 1 to the north west corner thereof.

Thence easterly along the northern limits of Lots 1, 2, 3, 4, 5 and 6, Registered Plan 260 and the easterly production to a point in the eastern limit of St. Mathews Avenue, being the eastern limit of the said Registered Plan 260.

Thence southerly along the east limit of St. Mathews Avenue to a point distant eighty nine point one seven feet (89.17') north of the north limit of Barton Street, being the north west corner of Part 3, Plan 62R-2137.

(cont'd pg 2)

SCHEDULE "A" (cont'd)

Description of the Barton Village Community Improvement Project Area

Thence easterly along the north limit of Parts 3 and 2, Plan 62R-2137 and its easterly production to its intersection with the southerly production of the west limit of an alley running parallel with and east of St. Mathews Avenue.

Thence northerly along said production of the west limit of the said alley four point nine two feet (4.92') more or less to the south limit of an alley.

Thence easterly along the south limit of the alley to a point in the western limit of Cheever Street, being the north east corner of Lot 38, Registered Plan 154.

Thence north easterly to a point in the eastern limit of Cheever Street, being the south west corner of the public alley assumed by City of Hamilton By-Law 3504.

Thence easterly along the south limit of the said public alley and its easterly production to a point in the western limit of Lot 39, Registered Plan 3.

Thence southerly along the western limit of the said Lot 39 to the south west corner thereof.

Thence easterly along the south limit of said Lot 39 and its easterly production to a point in the eastern limit of William Street.

Thence southerly along the eastern limit of William Street to a point distant fifty two point nine two feet (52.92') north of the north limit of Barton Street.

Thence easterly parallel with the north limit of Barton Street to the centre line of Wentworth Street.

Thence northerly to the south limit of the Canadian National Railway.

Thence easterly along the said south limit of the Canadian National Railway to the west limit of Birch Avenue.

Thence southerly along the west limit of Birch Avenue to its intersection of the westerly production of the north limit of Lot 60 Registered Plan 245.

Thence easterly along the last mentioned production line to the northwest corner of said Lot 60, being the south limit of an Alley.

Thence easterly along the south limit of the said alley, being the northerly limit of Lots 60, 59, 58, 57, 56 and 55 to the north east corner of Lot 55, Registered Plan 245 being a point in the west limit of Earl Street.

Thence easterly to the north west corner of Lot 22 Registered Plan 245, being a point at the east limit of Earl Street and the south limit of another alley.

Thence easterly along the south limit of the said alley, being the north limit of Lots 22, 21, 20, 19 and 18, Registered Plan 245 to a point ninety two point three one feet (92.31') west of Sherman Avenue.

Thence southerly parallel to Sherman Avenue fifty feet to a point.

Thence easterly parallel to the north limit of Lots 18 and 17 Registered Plan 245 to a point in the west limit of Sherman Avenue.

Thence southerly along the west limit of Sherman Avenue to the south east corner of Lot 120, Registered Plan 76, being the north limit of an alley.

Thence westerly along the north limit of the said Alley, being the south limit of Lots 120, 119, 118 and 117, Registered Plan 76 to the south west corner of Lot 117 thereof.

(cont'd pg 3)

SCHEDULE "A" (cont'd)

Description of the Barton Village Community Improvement Project Area

Thence westerly to the south east corner of Lot 72, Registered Plan 76 being the north limit of another alley.

Thence westerly along the said limit of the alley, being the south limits of Lots 72, 71, Registered Plan 76 and Lots 2 and 1, Registered Plan 257 to the south west corner of said Lot 1, being the east limit of Chestnut Avenue.

Thence westerly to a point in the west limit of Chestnut Avenue distant eighty feet (80') south of the south limit of Barton Street.

Thence westerly parallel with the south limit of Barton Street to the east limit of Lot 20, Registered Plan 169.

Thence southerly to the south east corner thereof, being the north east corner of an alley.

Thence westerly along the north limit of the said alley, being the south limit of Lots 20, 21, 52, 53, 54 and 55, Registered Plan 169 to the south west corner of said Lot 55.

Thence westerly to the south east corner of Lot 47, Registered Plan 560, being the north limit of an alley.

Thence westerly along the said alley, being the south limit of Lots 47, 46, 45, 44 and 43, Registered Plan 560 to the east limit of Stirton Street.

Thence south westerly to the southeast corner of Lot A, Registered Plan 560 being a point in the west limit of Stirton Street.

Thence westerly, northerly and westerly along the south limits of said Lot A and the south limit of Lots 10 and 9, Registered Plan 381 to the east limit of Minto Avenue.

Thence westerly to the south east corner of Lot 8, Registered Plan 381, being the west limit of Minto Avenue.

Thence westerly along the south limits of Lots 8, 7, 6, 5, 4, 3, 2 and 1, Registered Plan 381 to the east limit of Sanford Avenue.

Thence westerly to the south east corner of Lot 26, Registered Plan 373.

Thence westerly northerly and westerly along the limits of Lots 26, 21, 20, 19, 18, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4 and 3, to a point distant eighteen feet (18.0') west of the south east corner of Lot 3, Registered Plan 373.

Thence northerly parallel with the eastern limit of said Lot 3 a distance of thirty feet (30.0') to a point.

Thence westerly parallel with the south limit of Barton Street to a point in the western limit of Wentworth Street.

Thence southerly along the western limit Wentworth Street to the south east corner of Lot 6, Registered Plan 194.

Thence westerly along the south limit of Lots 6, 5, 4, 3, 2 and 1, Registered Plan 194 and its westerly production to a point in the western limit of Leeming Street, being a point in the eastern limit of Lot 1, Registrar's Compiled Plan 1409.

Thence southerly along the east limit of said Lot 1 to the south east corner thereof.

Thence westerly along the south limit Lots 1, 2, 3, 4, 5 and 6, Registrar's Compiled Plan 1409 and its westerly production to a point in the eastern limit of Lot 7, Registered Plan 234.

(cont'd pg 4)

SCHEDULE "A" (cont'd)

Description of the Barton Village Community Improvement Project Area

Thence northerly along the eastern limit of said Lot 7 to the north east corner thereof.

Thence westerly along the northern limit of said Lot 7 to the north west corner thereof, being a point in the eastern limit of Smith Avenue.

Thence southerly along the eastern limit to said Smith Avenue to its intersection with the easterly production of the southern limit of the northerly twenty five feet (25.0') of Lot 9, Registered Plan 234.

Thence westerly parallel with the northern limit of said Lot 9 to a point in the eastern limit of Lot 52, Registered Plan 235.

Thence northerly along the eastern limit of said Lot 52 and the eastern limit of Lot 51 to the north east corner thereof, being the south east corner of Lot 50, Registered Plan 235.

Thence westerly along the south limit of said Lot 50 and the south limit of Lots 49, 48, 47, 2 and 1, Registered Plan 235 and its westerly production to a point in the western limit of Emerald Street, being a point in the east limit of Lot 52, Registered Plan 105.

Thence northerly along the east limit of said Lot 52 to a point distant ninety four feet (94.0') south of south limit of Barton Street.

Thence westerly parallel to the south limit of Barton Street to a point in the west limit of Lot E, Registered Plan 105.

Thence northerly along the western limit of said Lot E to its intersection with the easterly production of the south limit of Lot D, Registered Plan 286.

Thence westerly to and along the south limit of said Lot D and the south limit of Lot C, Registered Plan 286 to the south west corner thereof being a point in the eastern limit of East Avenue.

Thence northerly along the eastern limit of East Avenue to its intersection with the easterly production of the south limit of the northerly seventy one feet (71.0') of Lot 86, Registered Plan 1433.

Thence to and along the last mentioned limit and its westerly production to a point in the eastern limit of Lot B, Registered Plan 286.

Thence southerly along the eastern limit of said Lot B to the south east corner thereof.

Thence westerly along the southern limit of said Lot B to a point distant ninety eight feet (98.0') east of the eastern limit of Victoria Avenue.

Thence northerly parallel with the eastern limit of Victoria Avenue to a point nineteen feet (19.0') south of the south limit of Barton Street.

Thence westerly parallel with the south limit of Barton Street to a point in the eastern limit of Victoria Avenue.

Thence southerly along the eastern limit of Victoria Avenue to its intersection with the easterly production of the south limit of Lot 12, Registered Plan 90.

Thence westerly to and along the south limit of said Lot 12 and the south limit of Lot 11, Registered Plan 90 to a point distant ninety five point five zero feet (95.50') east of the south west corner of said Lot 11.

Thence north parallel with the western limit of said Lot 11 to a point thirty eight point eight three feet (38.83') south of the south limit of Barton Street.

(cont'd pg 5)

Description of the Barton Village Community Improvement Project Area

Thence westerly parallel with the south limit of Barton Street to its intersection with the western limit of West Avenue.

Thence southerly along the western limit of West Avenue to the south east corner of Lot 20, Registered Plan 286.

Thence westerly along the southern limit of said Lot 20, to the south west corner thereof.

Thence northerly along the western limit of said Lot 20 and the western limits of Lots 19 and 18 to a point distant sixty nine point one eight feet (69.18') south of the south limit of Barton Street.

Thence westerly parallel with the south limit of Barton Street fifty feet (50.0') to a point.

Thence northerly parallel with the eastern limit of Wellington Street to a point in the southern limit of Lot 16, Registered Plan 286.

Thence westerly along the southern limit of said Lot 16 and its westerly production to the centre line of Wellington Street.

Thence southerly along the centre line of Wellington Street to its intersection with the easterly production of the southern limit of the northerly ninety four point three feet (94.30') of Lot 162, Registered Plan 287.

Thence westerly parallel with the south limit of Barton Street to a point in the division line between Lots 162 and 161, Registered Plan 287.

Thence southerly along the last mentioned division line to the south east corner of said Lot 161.

Thence westerly along the southern limit of said Lot 161 and the southern limit of Lots 160 and 159 to the south west corner of Lot 159.

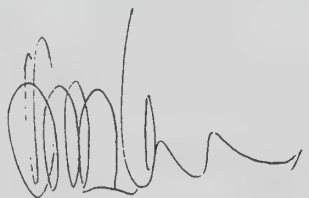
Thence northerly along the western limit of said Lot 159 and its northerly production to a point in the north limit of Barton Street.

Thence westerly to the east limit of Ferguson Avenue.

Thence north one hundred and twenty four feet (124') to a point in the east limit of Ferguson Avenue.

Thence easterly to the point of commencement.

Dated at Hamilton
November 4, 1997



Kin M. Lau
Ontario Land Surveyor

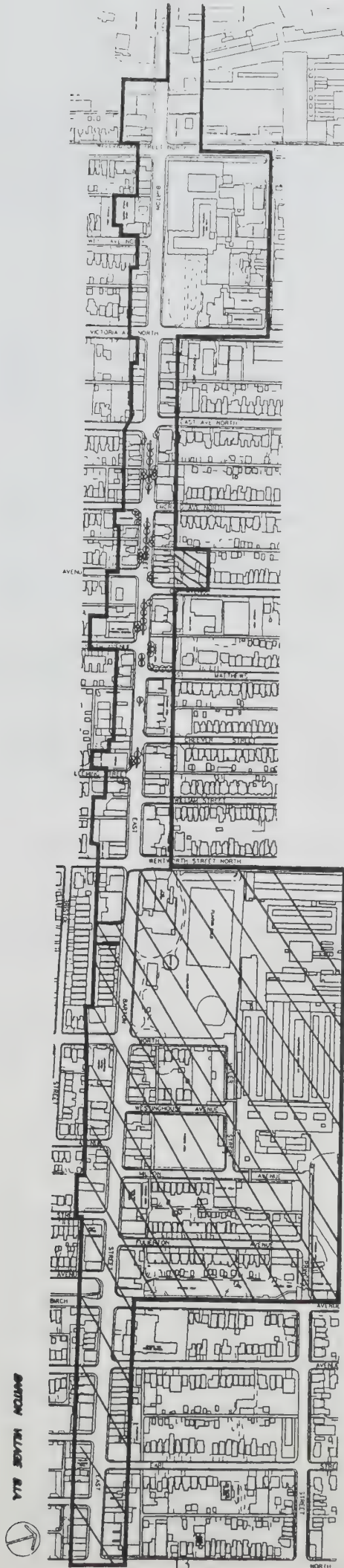
This is Schedule "A" to By-law No. 98- , passed on the day of 1998.

Barton Village Community Improvement Project Area

Expanded Boundaries
(CIPA)

Previous Boundaries
(Area B)

This is Schedule "B" to By-law No. 98-
, passed on the
day of
1998.



The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend By-law No. 90-270

Respecting:

THE MAIN STREET WEST COMMUNITY IMPROVEMENT PROJECT AREA

WHEREAS subsection 28(2) of the Planning Act, 1990 provides as follows:

(2) **Designation of community improvement project area.** -- Where there is an official plan in effect in a local municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area;

AND WHEREAS the Official Plan of the City of Hamilton approved by the Minister on June 1, 1982, contains provisions relating to community improvement in the City of Hamilton;

AND WHEREAS it is desirable to expand the Main Street West Community Improvement Project Area, designated by By-law No. 90-270, passed on the 25th day of September 1990.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The area described in Schedule "A" and shown as Area A and Area B on Schedule "B" both annexed hereto and forming part of this by-law, is hereby designated as a Community Improvement Project Area.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

(1998) 2 R.P.D.C. , January 27

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF THE MAIN STREET WEST
COMMUNITY IMPROVEMENT PROJECT AREA

That land located in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, described as follows;

Commencing at the centre line of Locke Street, distance of one hundred point forty five feet (100.45') north of the northerly limit of Main Street;

Thence easterly a distance of sixteen point forty seven feet (16.47') more or less, to a point in the easterly limit of Locke Street, distant one hundred feet (100.00') measured northerly there along from its intersection with the northerly limit of Main Street West;

Thence easterly and parallel with the southerly limit of Nelson Street, a distance of one hundred point five zero feet (100.50') more or less, to an iron bar planted;

Thence south $17^{\circ}24'56''$ west along the easterly limit of #334 Main Street West as described in Instrument 338188CD, a distance of eighty one point three six feet (81.36') more or less, to a point in the northerly limit of Main Street West;

Thence south $72^{\circ}50'39''$ east along the northerly limit of Main Street, a distance of one hundred one point three feet (101.30') to a point;

Thence northerly and parallel to Pearl Street a distance of fifty nine point zero feet (59.00') more or less, to a point in the southerly limit of St. Vincent Roman Catholic School land;

Thence easterly along said St. Vincent land twenty three point eighty three feet (23.83') to a point;

Thence southerly and parallel with Pearl Street fifty nine point zero feet (59.00') more or less to a point in the northerly limit of Main Street;

Thence south $72^{\circ}50'39''$ east along the northerly limit of Main Street a distance of one hundred twenty point zero feet (120.00') more or less to its intersection with the westerly limit of Pearl Street;

Thence north $17^{\circ}21'36''$ east along the westerly limit of Pearl Street to a point west of and at right angles to a point in the easterly limit of Pearl Street, distant two hundred sixty four point zero feet (264.00') measured south $17^{\circ}16'55''$ west there along from the southerly limit of George Street;

Thence to and along a fence marking the northerly boundary of Lot 13 according to James Mills Survey a distance of eighty seven point zero feet (87.00') to a bend in the fence;

Thence continuing easterly along a fence marking the limit between Lots 11 and 13 a distance of twenty seven point sixty seven feet (27.67') and a further distance of twenty three point eighty three feet (23.83') more or less to the fence marking the division line between Lots 8 and 13 on the James Mills Survey;

Thence southerly along said division line eighty five point eighty three feet (85.83') more or less to a point in the northerly limit of Main Street;

Thence south $72^{\circ}59'30''$ east along the northerly limit of Main Street to the southwesterly angle of Lot 12 on said James Mills Survey;

(cont'd pg 2)

Description of the Main Street West Community Improvement Project Area

Thence northerly to and along the westerly limit of Lot 12 one hundred thirteen point five feet (113.50') more or less to the southerly boundary of a twelve point zero feet wide alley (12.00') running westerly from Ray Street;

Thence easterly along the southerly limit of said alley a distance of one hundred twenty five point three feet (125.30') more or less to its intersection with the westerly limit of Ray Street;

Thence north easterly to a point in the easterly limit of Ray Street, distant one hundred twenty five point five zero feet (125.50') measured northerly there along from the northerly limit of Main Street;

Thence easterly along an existing fence eighty three point three seven feet (83.37') to a point;

Thence north $17^{\circ}17'36''$ east and parallel to Ray Street a distance of fifty one point five zero feet (51.50') to a point;

Thence easterly along a fence marking the northerly limits of Lots 7, 8 and 9, in Block 2, Range 1, of the James Mills Survey registered as Plan 1435 to the north easterly angle of Lot 9 aforesaid;

Thence continuing easterly along the southerly limit of Lot 6 a distance of twenty nine point five feet (29.50') more or less to a planted iron bar, distant one hundred six point forty two feet (106.42') measured westerly there along from the southeasterly angle thereof;

Thence northerly thirty point zero feet (30.00') along a line which if produced northerly would intersect the southerly limit of George Street at a point therein distant ninety eight point seventeen feet (98.17') measured westerly along the said southerly limit of George Street from the westerly limit of Queen Street;

Thence easterly one hundred four point twenty one feet (104.21') more or less to a point in the westerly limit of Queen Street distant ninety eight point zero feet (98.00') measured southerly there along from the southerly limit of George Street aforesaid;

Thence south $72^{\circ}50'30''$ east and at right angles to the westerly limit of Queen Street a distance of thirty three point zero feet (33.00') to a point;

Thence southerly along the centre line of Queen Street being also the original road allowance between Lots 16 and 17, Township of Barton, a distance of three hundred twenty six point zero feet (326.00') more or less to a point of intersection, said intersection being the centre line of Queen Street and the production easterly of the southerly limits of Lots 2, 5, 7, 9 and 11, in the James Mills Survey in the block bounded by Jackson Street, Ray Street, Main Street and Queen Street;

Thence westerly to and along said southerly limits of Lots 2, 5, 7, 9 and 11, to the southwesterly angle of Lot 11 in the last mentioned block;

Thence northerly to and along the westerly limit of Lot 11 last mentioned a distance of thirty point zero feet (30.00') more or less to a point distant seventy point zero feet (70.00') measured southerly there along from the north westerly angle thereof;

Thence westerly and parallel to the northerly limit of Lots 13 and 14 being also Main Street, a distance of one hundred feet (100.00') more or less to its intersection with the easterly limit of Ray Street;

(cont'd pg 3)

Description of the Main Street West Community Improvement Project Area

Thence westerly across Ray Street a distance of fifty point fifteen feet (50.15') more or less to a point in the westerly limit of Ray Street distant sixty seven point forty two feet (67.42') measured southerly there along from the southerly limit of Main Street;

Thence westerly and parallel to Main Street a distance of fifty point zero feet (50.00') to a point;

Thence southerly along the easterly limit of Lot 2 in the block bounded by Jackson Street, Pearl Street, Main Street and Ray Street in the James Mills Survey a distance of thirty two point fifty eight feet (32.58') to the south east angle of said Lot 2;

Thence westerly along the southerly limits of Lots 2, 5, 7, 9, 11 and 13 in the last mentioned Block and James Mills Survey to the south west angle of Lot 13;

Thence northerly to and along the westerly limit of Lot 13 a distance of thirty point zero feet (30.00') to a point;

Thence westerly and parallel to the southerly limit of Main Street a distance of fifty point zero feet (50.00') to a point in the easterly limit of Pearl Street, distant seventy point zero feet (70.00') measured southerly there along from the southerly limit of Main Street;

Thence westerly across Pearl Street a distance of fifty point zero feet (50.00') more or less to a point in the westerly limit of Pearl Street distant eighty six point zero feet (86.00') measured southerly there along from the southerly limit of Main Street;

Thence westerly and parallel to Main Street a distance of sixty one point eleven feet (61.11') more or less to a fence running northerly in the block bounded by Jackson Street, Locke Street, Main Street and Pearl Street in the James Mills Survey aforementioned;

Thence southerly and parallel to the westerly limit of Pearl Street a distance of twelve point twenty five feet (12.25') to a point on a fence;

Thence westerly to and along the southerly limits of Lots 2, 5, 8, 9 and 12, in the last mentioned block and survey to the southwestly angle of Lot 12;

Thence northerly along the westerly limit of said Lot 12 a distance of thirty five point five feet (35.50') more or less to a point, distant sixty two point zero feet (62.00') measured southerly there along said westerly limit of Lot 12 from the southerly limit of Main Street;

Thence westerly and parallel to Main Street a distance of fifty one point zero feet (51.00') more or less to a point in the easterly limit of Locke Street;

Thence continuing westerly and parallel to Main Street a distance of sixty six point zero feet (66.00') more or less to a point in the western limit of Locke Street distant one hundred point zero feet (100.00') south of the south limit of Main Street;

Thence westerly parallel with the south limit of Main Street to its intersection with the centre line of Dundurn Street South;

Thence northerly along the centre line of said Dundurn Street South to its intersection with the westerly production of the south limit of an alley as widened by City of Hamilton By-Law 96- ;

Thence easterly to and along the said southern limit of said alley a distance of one hundred fifty six point five feet (156.50') to a point in the western limit of Lot 10, Registered Plan 166;

(cont'd pg 4)

Page 4

Description of the Main Street West Community Improvement Project Area

Thence southerly along the western limit of said Lot 10 to the south west corner thereof;

Thence easterly along the southern limit of said Lot 10 being the northern limit of Lots 7 and 8, Registered Plan 166 to the north east corner of Lot 8.

Thence southerly along the eastern limit of said Lot 8, being the western limit of Lot 9, Registered Plan 166, a distant of fifty point zero feet (50.00') to a point;

Thence easterly parallel with the southern limit of said Lot 9, being the northern limit of Main Street West, a distance of fifty point zero feet (50.00') to a point in the western limit of New Street;

Thence northeasterly to a point in the east limit of said New Street being the north west corner of Lot 1, Registered Plan 398;

Thence easterly along the northern limit of Lots 1, 2, 3, 4, 5 and 6, Registered Plan 398 to the northeast corner of said Lot 6;

Thence easterly across Lots 7, 8 and 9, Registered Plan 398 and Lots 27 and 28, Registered Plan 389 to a point in the interior of Lot 28, distant sixty six point zero feet (66.00') north of Main Street West and seventy two point zero feet (72.00') west of Strathcona Avenue;

Thence easterly seventy two point zero feet (72.00') to the western limit of said Strathcona Avenue;

Thence southerly to a point in the eastern limit of said Strathcona Avenue distant forty seven point zero feet (47.00') north of south west corner of Lot 31, Registered Plan 389;

Thence easterly parallel with the south limit of said Lot 31, being the north limit of Main Street West, a distance of seventy point zero feet (70.00') to a point;

Thence northerly parallel with the east limit of Strathcona Avenue to the south limit of an alley, on Registered Plan 389;

Thence easterly along the said south limit of alley, to the west limit of Margaret Street;

Thence easterly to the eastern limit of Margaret Street also the south limit of another alley being the north west corner of Lot 13, Registered Plan 227;

Thence easterly along the south limit of said alley being the north limit of Lots 13, 12 and 11, Registered Plan 227 to the north east corner of said Lot 11;

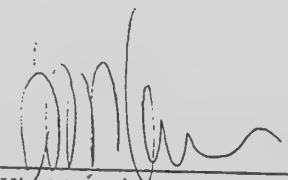
Thence easterly twelve point zero feet (12.00') more or less to the east limit of another alley distant one hundred point zero feet (100.00') from the north limit of Main Street West;

Thence easterly parallel with the north limit of Main Street to the point of commencement.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

October 1, 1996



Kin M. Lai
Ontario Land Surveyor

This is Schedule "A" to By-law No. 98- , passed on the day of 1998.

Main Street West Community Improvement Project Area

Expanded Boundaries
Previous Boundaries
(CIPA)



This is Schedule "B" to By-law No. 98- , passed on the day of 1998.



The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend By-law No. 94-186

Respecting:

THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PROJECT AREA

WHEREAS subsection 28(2) of the Planning Act, 1990 provides as follows:

(2) **Designation of community improvement project area.** -- Where there is an official plan in effect in a local municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area;

AND WHEREAS the Official Plan of the City of Hamilton approved by the Minister on June 1, 1982, contains provisions relating to community improvement in the City of Hamilton;

AND WHEREAS it is desirable to expand the Downtown Hamilton Community Improvement Project Area, designated by By-law No. 94-186, passed on the 8th day of November 1994.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The area described in Schedule "A" and shown as Area A and Area B on Schedule "B" both annexed hereto and forming part of this by-law, is hereby designated as a Community Improvement Project Area.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

SCHEDULE "A"
DESCRIPTION OF THE DOWNTOWN HAMILTON
COMMUNITY IMPROVEMENT PROJECT AREA

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton Wentworth, in the Province of Ontario and which said parcel may be more particularly described as follows:

Commencing at the intersection of the southern limit of King Street with the eastern limit of James Street being also the north-west angle of Lot 16 according to George Hamilton Survey registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 1431.

Thence easterly along the said southern limit of King Street, Fifty-One point One Two (51.12') feet to the north-east angle of the lands described in Instrument No. 179661 CD.

Thence southerly along the eastern limit of the lands described in Instrument No. 179661 CD and the production southerly thereof to the southern limit of an alleyway as shown on the said George Hamilton Survey.

Thence easterly along the said southern limit of the alleyway to the western limit of Hughson Street.

Thence southerly along the said western limit of Hughson Street to the production westerly of the lands described in Instrument No. 176821 AB.

Thence easterly to and along the said northern limit of the lands as described in said Instrument No. 176821 AB to the north-east angle of the said lands.

Thence southerly along the eastern limit of the said lands described in Instrument No. 176821 AB to the northern limit of Main Street.

Thence easterly along the said northern limit of Main Street in all its courses to the south-west angle of the lands designated as Part 2 on a Reference Plan received and deposited in the said Land Registry Office as Plan 62R-5094 and described in Instrument No. 135054 CD.

Thence northerly along the western limit of the said Part 2 to the north-west angle thereof.

Thence easterly along the northern limit of the said Part 2 to the north-east angle thereof.

Thence southerly along the eastern limit of part 2 to the northern limit of Main Street.

Thence easterly along the northern limit of Main Street in all its courses to the south-west angle of the lands thirdly described in Instrument No. 112601 CD, said angle being Fourteen point Eight Three (14.83') feet measured westerly along the said northern limit of Main Street from the south-west angle of Lot 8 according to William Case Survey registered in the said Land Registry Office as Plan No. 73.

Thence northerly along the western limit of the lands described in said Instrument No. 122601 CD to an angle therein, said angle being in the northern limit of Lot 32 according to the said George Hamilton Survey and distant westerly Sixteen point Three Three (16.33') feet from the north-east angle thereof.

Thence easterly along the said northern limit of Lot 32 to the north-east angle thereof.

Thence northerly along the western limit of the said Lot 8 William Case Survey to the north-west angle of Lot 8.

(cont'd pg 2)

Description of the Downtown Hamilton Community Improvement Project Area

Thence easterly along the northern limit of Lot 8 to the production southerly of the western limit of the lands described in Instrument No. 249934 HL.

Thence northerly to and along the said western limit of the lands as described Instrument No. 249934 HL to the southern limit of King Street.

Thence westerly along the said southern limit of King Street to the production southerly of the western limit of Mary Street.

Thence northerly to and along the said western limit of Mary Street to the northern limit of King William Street.

Thence westerly along the north limit of King William Street to its intersection with the west limit of Catharine Street.

Thence northerly along the west limit of Catharine Street distant seventy-two point zero eight feet (72.08) to a point.

Thence westerly to a point in the east limit of John Street distant seventy point five feet (70.50') north of the north limit of King William Street.

Thence westerly to its intersection with the west limit of John Street.

Thence northerly along the west limit of John Street to a point distant one hundred thirty-six point eight four feet (136.84') to the north east corner of Lot 40 Nathaniel Hughson Survey.

Thence westerly along the north limit of Lots 40 and 39 to the north west corner of said Lot 39.

Thence southerly along the west limit of Lot 39 to a point distant ninety-seven feet (97') from the north limit of King William Street.

Thence westerly parallel to the north limit of King William Street to its intersection of the west limit of Hughson Street.

Thence southerly along the west limit of Hughson Street to a point distant seventy point two five feet (70.25") from the north limit of King William Street.

Thence westerly parallel to the north limit of King William Street a distance of one hundred and sixty three feet (163') more ore less to a point.

Thence northerly to the north limit of "Lister Block", being a Commerical Office Complex.

Thence westerly along the north limit of "Lister Block" and its westerly production to the west limit of James Street.

Thence southerly along the west limit of James Street to the south west corner of James Street and King Street.

Thence westerly along the south limit of King Street to its intersection with the east limit of MacNab Street.

Thence southerly along the east limit of MacNab Street to its intersection with the north limit of Main Street.

(cont'd pg 3)

Page 3

Schedule "A"

Description of the Downtown Hamilton Community Improvement Project Area

Thence easterly along the north limit of Main Street to its intersection with the west limit of James Street.

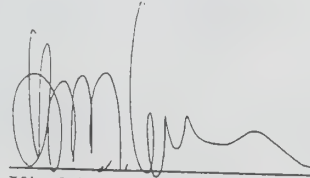
Thence northerly along the west limit of James Street to its intersection with the westerly production of the south limit of King Street from the point of Commencement.

Thence easterly to the point of commencement.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

November 12, 1997



Kin M. Lau
Ontario Land Surveyor

This is Schedule "A" to By-law No. 98- , passed on the day of 1998.

**Downtown Hamilton
Community Improvement Project Area**



Expanded Boundaries

**Previous Boundaries
(CIPA)**



(Area A)



(Area B)

This is Schedule "B" to By-law No. 98-

, passed on the day of

1998.

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 780 UPPER PARADISE ROAD

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "DE" (Low Density Multiple Dwellings) District provisions, as contained in Section 10A. of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10A. of Zoning By-law No. 6593, a maximum of five (5) townhouse dwellings shall be permitted subject to the "RT-20" (Townhouse-Maisonette) District provisions of Section 10E., except for the following:
 - (i) A minimum 3.0 m setback shall be permitted along the northerly lot line; and,
 - (ii) A minimum 1,131.58 m² lot area shall be permitted;
- (b) notwithstanding Section 18A.(1) of Zoning By-law No. 6593, a minimum six (6) parking spaces shall be required.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1389.

4. Sheet No. W37B of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1389.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1998.

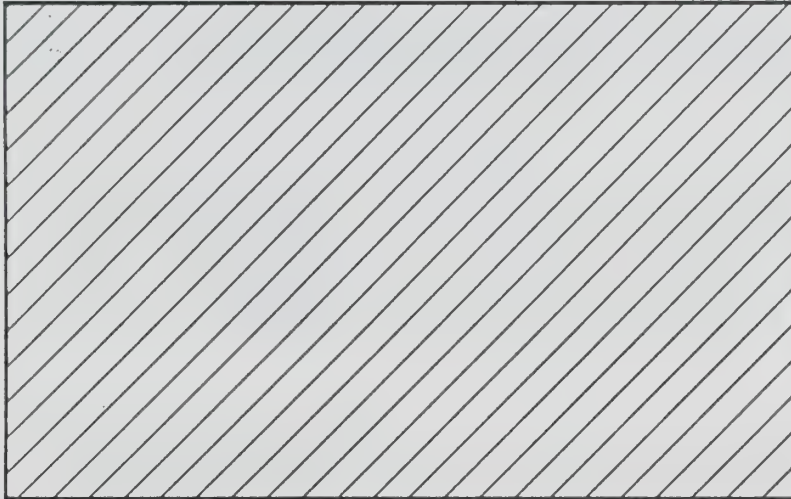
CITY CLERK

MAYOR

(1997) 14 R.P.D.C. 4, September 30
A.R.P. Construction Ltd., Owner
ZAC-97-12

N 18° 25'30"E 26.52

N 70° 45'30"W 42.67



N 18° 25'30"E 26.52
N 18° 25'30"E 110.60 +/-

UPPER PARADISE ROAD

NOVOCO DR.

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-.....
Passed the day of, 1998.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-____
to Amend By-Law No. 6593

Planning and Development Department

Legend



Modification to the "DE" (Low Density
Multiple Dwellings) District; regulations

North



Scale
NOT TO SCALE

Date

January 1998

Reference File No.
ZAC-97-12

Drawn By
B B

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

By-law No. 87-308

As Amended by By-laws No. 92-079 and 97-196

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE BARTON VILLAGE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 87-308, passed on the 10th day of November 1987, provided for a Board of Management of the Improvement Area designated by By-law No. 87-178, passed on the 23rd day of June 1987, known as the "Barton General Business Improvement Area", (now known as the "Barton Village Business Improvement Area"), more particularly described in By-law No. 87-178, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-079, passed on the 20th day of March 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 87-308;

AND WHEREAS By-law No. 97-196, passed on the 30th day of September 1997, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 97-196;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 15 of the 1st Report of the Planning and Development Committee on the 11th day of December 1997, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

K. Cody
M. Tollis
J. Hilger
M. Wright
D. Tranor
N. LaSala
J. Howard

Codys Home Decor Inc.
The Riviera Banquet Centre
Ways to Wisdom
Bank of Montreal
Dell Pharmacy
Nick's Auto Service
Econ-o-wash Laundry

2. By-law No. 97-196 is hereby repealed in its entirety.
3. In all other respects, By-law No. 87-308, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

(1997) 1 R.P.D.C. 15, December 11

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

By-law No. 86-73

As Amended by By-laws No. 92-058 and 97-209

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT
OF THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-73, passed on the 11th day of February 1986, continued the Board of Management established by By-law No. 83-71, passed on the 22nd day of February 1983, of the Improvement Area designated by By-law No. 82-151, passed on the 29th day of June 1982, known as the "Downtown Hamilton Business Improvement Area", more particularly described in By-law No. 82-151, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-058, passed on the 11th day of February 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-73;

AND WHEREAS By-law No. 97-209, passed on the 14th day of October 1997, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 97-209;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 16 of the 1st Report of the Planning and Development Committee at its meeting held on the 11th day of December 1997, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 86-73, as amended, is repealed and the following substituted therefor:

J. Livingston
R. Harris

Livingston Furs
Harris and Henderson

A. Peckham	The Royal Bank
R. Ianuzzi	Canadian Imperial Bank of Commerce
K. Findlay	KD Findlay
G. Attard	The Ramada Hotel
D. Broker	Royal Connaught Howard Johnson Hotel
R. Titian	Reggie's Music and Sound
R. Letourneau	Just Imagine Printing
A. Herpers	Herpers, Gowling Inc.
R. Sorenson	Sundried Tomatoes
M. McNally	Jeset Investments
K. Wiegand	McCarthy Hearing Aids

2. By-law No. 97-209 is hereby repealed in its entirety.

3. In all other respects, By-law No. 86-73, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

(1997) 1 R.P.D.C. 16, December 11

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

By-law No. 86-99

As Amended by By-laws No. 92-056 and 97-176

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-99, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-31, passed on the 10th day of December 1985, known as the "Ottawa Street North Business Improvement Area", more particularly described in By-law No. 86-31, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-056, passed on the 11th day of February 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-99;

AND WHEREAS By-law No. 97-176, passed on the 26th day of August 1997, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 97-176;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 17 of the 1st Report of the Planning and Development Committee at its meeting held on the 11th day of December 1997, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 86-99, as amended, is repealed and the following substituted therefor:

John Driscoll	Ottawa Market and Discount Center
John Gut	Textile Centre
Tony Bifano	Anton Video
Greta Munt	Greta's Flair
Daniel Kwiatkowski	Beach Road Meats
Toby Yull	Toby's Interior Design
John Bazinet	L. G. Wallace Funeral Home
Irena Bogovic	Adriana's Love Angels
Bill Hodge	Hamilton Vacuum Supply
Manny Fresco	Campbell Glass and Mirror

2. By-law No. 97-176 is hereby repealed in its entirety.
3. In all other respects, By-law No. 86-99, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

(1997) 1 R.P.D.C. 17, December 11

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

By-law No. 92-078
As Amended by By-law No. 97-197

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT
OF THE MAIN STREET WEST ESPLANADE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 92-078, passed on the 10th day of March 1992, provided for a Board of Management of the Improvement Area designated by By-law No. 90-197, passed on the 26th day of June 1990, known as the "Main West Esplanade Business Improvement Area", more particularly described in By-law No. 90-197, as amended by By-law No. 96-168, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 97-197, passed on the 30th day of September 1997 varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 97-197;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 18 of the 1st Report of the Planning and Development Committee on the 11th day of December 1997, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2(a) of By-law No. 92-078, as amended, is repealed and the following substituted therefor:

Alderman M. Kiss
Alderman M. Caplan

2. Schedule "B" referred to in clause 2(b) of By-law No. 92-078 is repealed and the following substituted therefor:

J. Bourinot
I. Kobylanski
M. Farrugia
J. Castellano
J. Morrison
B. Hughes
M. Gunn

Dairy Queen
Izzy's Restaurants
Calla Decor and Design
Castellano Real Estate
Royal Bank
Tim Hortons
Mor Car Wash

3. By-law No. 97-197, as amended, is hereby repealed in its entirety.
4. In all other respects, By-law No. 92-078 is hereby confirmed, unchanged.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

(1997) 1 R.P.D.C. 18, December 11

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

By-law No. 86-212

As Amended by By-laws No. 92-057 and 97-013

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-212, passed on the 25th day of June 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 76-19, passed on the 27th day of January 1976, known as the "International Village Business Improvement Area", more particularly described in By-law No. 76-19, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-057, passed on the 11th day of February 1992, varied the composition of the Board of Management and provided for editorial amendments to By-law No. 86-212;

AND WHEREAS By-law No. 97-013, passed on the 28th day of January 1997, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 97-013;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 20 of the 1st Report of the Planning and Development Committee on the 11th day of December 1997, directed that the composition of the Board of Management be further varied, in accordance with Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) Schedule "A" referred to in clause 2(a) of By-law No. 86-212, as amended, is repealed the following substituted therefor:

Alderman A. Horwath
Alderman R. Corsini

(b) Schedule "B" referred to in clause 2(b) of By-law No. 86-212, as amended, is repealed the following substituted therefor:

Joe Collura	Hotelevision
John Kenyon	Payne Music
Paul Kircos	----
Wolfgang Schoen	The Black Forest
Steve Stricker	Wylde Tattoo
Dean Taylor	Hudsons
Gord Thompson	Thompson Jewellery and Pawn

2. By-law No. 97-013 is hereby repealed in its entirety.

3. In all other respects, By-law No. 86-212, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

(1997) 1 R.P.D.C. 20, December 11

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

By-law No. 86-98

As Amended by By-laws No. 92-074 and 97-030

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE WESTDALE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-98, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-30, passed on the 10th day of December 1985, known as the "Westdale Business Improvement Area", more particularly described in By-law No. 86-30, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-074, passed on the 10th day of March 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-98;

AND WHEREAS By-law No. 97-030, passed on the 25th day of February 1997 varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 97-030;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 22 of the 1st Report of the Planning and Development Committee at its meeting held on the 11th day of December 1997, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2(a) of By-law No. 86-98, as amended, is repealed and the following substituted therefor:

Alderman M. Kiss
Alderman M. Caplan

2. Schedule "B" referred to in clause 2(b) of By-law No. 86-98, as amended, is repealed and the following substituted therefor:

M. B. Ledden	Judy Marsales Real Estate Ltd.
D. Simpson	Simpson, Watson & Vujnovic, Lawyers
G. Ditner	Cottage Florist
S. Snider	The Picture Frame
J. Mouskos	New Village Restaurant
D. Thorne	Truth
R. Lahie	Jack Carruth Shoes

3. By-law No. 97-030 is hereby repealed in its entirety.

4. In all other respects, By-law No. 86-98, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

(1997) 1 R.P.D.C. 22, December 11

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

By-law No. 86-144

As Amended by By-laws No. 95-047 and 96-194

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE CONCESSION STREET BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-144, passed on the 29th day of April 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 83-308, passed on the 30th day of November 1983, and established by By-law No. 84-38, passed on the 14th day of February 1984, known as the "Concession Street Business Improvement Area", more particularly described in By-law No. 83-308, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 95-047, passed on the 14th day of February 1995, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-144;

AND WHEREAS By-law No. 96-194, passed on the 26th day of November 1996, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 96-194;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 23 of the 1st Report of the Planning and Development Committee at its meeting held on the 11th day of December 1997, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in 2(a) of By-law No. 86-144, as amended, is repealed and the following substituted therefor:

Alderman T. Anderson
Alderman B. Kelly

2. Schedule "B" referred to in 2(b) of By-law No. 86-144, as amended, is repealed and the following substituted therefor:

D. Johnson	Why Pay More
P. Wharton	Wharton Copy Print
R. Burrough	Camtech Photo Services
J. Engbers	Toronto Dominion Bank
J. Woolcott	Woolcott Shoes
B. Toplack	Mountain Book Store

3. By-law No. 96-194 is hereby repealed in its entirety.

4. In all other respects, By-law No. 86-144, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

(1997) 1 R.P.D.C. 23, December 11

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 100 BEDDOE DRIVE

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:
 169. Land located at Municipal No. 100 Beddoe Drive, shown on Appendix 169 hereto annexed and forming part of this by-law.
2. Appendix 169 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this

day of

A.D. 1998

CITY CLERK

MAYOR

(1998) 1 R.P.D.C. 27, December 11
Chedoke Terrace Inc., Owner
OPA-LAPP

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1089-1091 Barton Street East

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to .

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

168. Land located at Municipal No. 1089-1091 Barton Street East, shown on Appendix 168 hereto annexed and forming part of this by-law.
2. Appendix 168 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this

day of

A.D. 1998

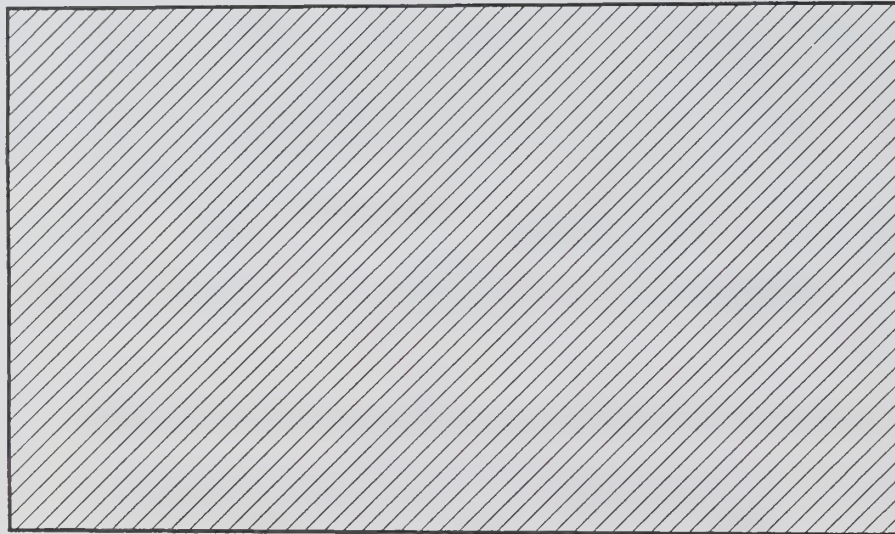
CITY CLERK

MAYOR

OTTAWA STREET NORTH

N 16° 52' 30" E
39.49

N 73° 01' 00" W 64.79



N 17° 00' 30" E
39.49

N 73° 01' 00" W 64.70

BARTON STREET EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-.....
Passed the day of, 1998.

Clerk

Mayor

City of Hamilton

Appendix 168

to the By-Law No. 79-275
as Amended by By-Law No. 87-223

Planning and Development Department

Legend



Lands designated under this By-Law
as an area of Site Plan Control
pursuant to section 41 of the
Planning Act, R. S. O. 1990.

North



Scale
NOT TO SCALE

Date
January 1998

Reference File No.
DA-97-23

Drawn By
B. B.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.98-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1998, A.D.,

CITY CLERK

MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

1)	PROPERTY ADDRESS	763 DUNN AVE.
	SERIAL NUMBER	05 04030 6900
	BRIEF LEGAL DESCRIPTION	PLAN 573 LOT 440 & 441
	DATE OF REGISTRATION	NOVEMBER 12, 1997
	TAX ARREARS CERTIFICATE #	LT478386
	REDEMPTION DATE	NOVEMBER 12, 1998
	TOTAL ARREARS	\$7,513.17
2)	PROPERTY ADDRESS	491 CANNON E
	SERIAL NUMBER	03 02365 4000
	BRIEF LEGAL DESCRIPTION	PLAN 158 PART LOT 30
	DATE OF REGISTRATION	AUGUST 18, 1997
	TAX ARREARS CERTIFICATE #	LT465888
	REDEMPTION DATE	AUGUST 18, 1998
	TOTAL ARREARS	\$12,399.63

BY-LAW NO. 98 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 27th DAY OF JANUARY, 1998.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 27th day of January 1998

CITY CLERK

MAYOR



1998 February 5

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1998 February 10
7:30 o'clock p.m.
Council Chambers, City Hall**

**J. J. Schatz
City Clerk**

A G E N D A

- 1. National Anthem.**
- 2. Opening Prayer: Pastor Ivars Gaide,
Christ Lutheran Church
18 Victoria Avenue South**
- 3. Presentations:**
 - (a) Recognition for those who contributed to the ice storm relief efforts.**
 - (b) Presentation Certificate of Recognition Mr. Guido Ricca**
- * Nominating Committee - Citizen Appointments**
- 4. Adoption of the minutes of the meeting held 1998 January 27.**
- 5. Correspondence**
- 6. Reports of the Standing Committees:**
 - (a) Transport and Environment Committee**
 - (c) Planning and Development Committee**
 - (d) Finance and Administration Committee**
 - (e) Nominating Committee**
- 7. Notices of Motion for next meeting.**
- 8. Question Period.**
- 9. Adjournment.**

MINUTES

Minutes of Hamilton City Council
Tuesday, 1998 January 27
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps,
Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, O'Sullivan.

Absent: Alderman D'Amico - Illness

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Archdeacon Richard J. Berryman led Council in prayer.

<p>PRESENTATIONS</p>

Mayor Morrow presented the Fire Services Exemplary Service Medal to Archdeacon Richard J. Berryman.

Mayor Morrow presented gold rings to former Aldermen Vince Agro, Don Drury, Henry Merling and Don Ross.

Certificates of Recognition respecting the "1997 Ambassador Program" were presented by Mayor Morrow to the following: Julia Claus, John Deal, Mary Dunford, Paul H. Kennedy, Kathleen A. Kirkham, Lindsay Sleightholm, and Katherine Wigmore.

ADOPTION OF MINUTES

The minutes of the meetings held 1997 December 11, 1998 January 7 and January 20 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1998 January 12 from Bob Swenor, President, Hamilton and District Chamber of Commerce respecting Beer and Liquor Stores open on Sundays.

Referred to the Committee of the Whole

2. Application dated 1997 December 15 from Peter Dalle Vedove, 194 Lottridge Street, Hamilton for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District for 184 Lottridge Street, Hamilton, Ontario.

Received.

3. Application dated 1997 December 17 from Casimar Banas, 233-235 Locke Street North, Hamilton, Ontario for a modification to the "D" (Urban Protected Residential One and Two Family Dwellings, etc.) District for property at 233-235 Locke Street North, Hamilton, Ontario.

Received.

4. Application dated 1998 January 15 from Alec Anastasiou, 861 Upper Paradise Road, Hamilton, Ontario for a modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District to permit an office building and medical practice for 867 Upper Paradise, Hamilton, Ontario.

Received.

5. Application dated 1998 January 20 from Visplar Holdings Inc., and Anthony and Jo-Ann Mary Notto-Campanella for changes from "AA" (Agriculture) to "C" (Urban Protected, Residential, etc.), "R-4" (Small Lot Single Family Dwellings) District and "RT-20" (Townhouse-Maisonette) District and for 51 single detached dwellings, 30 semi-detached dwelling units and 14 condominium townhouse units for lands located at 1016, 1062 and 1088 Upper Paradise Road, Hamilton, Ontario.

Received.

6. Letter dated 1998 January 7 from the Hamilton Harbour Commissioners respecting "CleanSoils".

Referred to Transport and Environment Committee.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole, be now considered in Committee of the Whole with Alderman Eisenberger in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SECOND REPORT
--

Section 79 of the First Report Re: All Way Stop Control - Locke and Florence Street

It was moved by Alderman Collins and seconded by Alderman Wilson that Section 79 of the First Report of the Transport and Environment Committee for 1998 respecting an all way stop control regulation at the intersection of Locke Street North and Florence Street, be reconsidered.

CARRIED.

It was moved by Alderman Collins and seconded by Alderman Wilson that Section 79 of the First Report of the Transport and Environment Committee for 1998 be referred back to the Transport and Environment Committee.

- (a) That all-way stop control be implemented at the intersection of Locke Street North and Florence Street, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
- (b) That staff be requested to report back in six months time on this issue or immediately if problems are encountered due to this intersection control." **CARRIED.**

<p>PARKS AND RECREATION COMMITTEE - SECOND REPORT</p>
--

Section 3 Re: Sale of alcoholic beverages - Brian Timmis Stadium or Ivor Wynne Stadium.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, O'Sullivan. -15

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 15 Re: Culture and Recreation Facilities and Buildings Strategic Direction

It was moved by Alderman Morelli and seconded by Alderman Kiss that Section 15 of the Second Report of the Parks and Recreation Committee for 1998, which reads as follows, be deleted in its entirety.

- 15. That Council endorse the Strategic Direction New Capital and Capital Maintenance projects for Culture and Recreation buildings and facilities as described in Appendix "B", attached hereto. **CARRIED.**

* * * * *

Section 16 Re: Establishment of Task Force to Determine Merits of Leash Free Areas

It was moved by Alderman Corsini and seconded by Alderman Horwath that Section 16 of the Second Report of the Parks and Recreation Committee for 1998 be amended by adding the "Board of Education" to the list of Task Force representatives identified in sub-section (a).
CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - SECOND REPORT

FINANCE & ADMINISTRATION COMMITTEE - THIRD REPORT

Section 2 Re: Establishment of Charitable Casinos

It was moved by Alderman Wilson and seconded by Alderman Collins that Section 2 of the Third Report of the Finance and Administration be amended by adding the following:

- (c) That staff prepare a by-law prohibiting the installation of electronic gaming machines in Hamilton; and
 - (d) That this by-law be presented to the next Finance and Administration Committee meeting.
- CARRIED.**

* * * * *

Section 2(a)(b) Re: Establishment of Charitable Casinos

Recorded vote.

YEAS: Aldermen Kiss, Horwath, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, O'Sullivan. -10.

NAYS: Mayor Morrow, Aldermen Caplan, Corsini, Morelli, Haining, Kelly. -6.
CARRIED.

* * * * *

Section 2(c)(d) Re: Electronic Gaming Machines

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -15.

NAYS: Mayor Morrow. -1. **CARRIED.**

* * * * *

Section 22 Re: Strategic Direction for New Capital and Capital Maintenance Projects

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Section 22 of the Third Report for 1998 of the Finance and Administration Committee be amended by deleting the word "not" in the second line and replacing it with the words "including those" in lieu thereof. **CARRIED.**

* * * * *

Section 34 Re: Acquisition of Vacant Land re Extension of Elmore Drive

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, O'Sullivan. -14.

NAYS: Aldermen Copps, Kelly. -2. **CARRIED.**

* * * * *

Section 36 Re: By-law to Enact an Interim Tax Levy

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following Bill be added as sub-section (c) of Section 36 of the Third Report for 1998 of the Finance and Administration Committee:

(c) D-9 A By-law to enact an Interim Tax Levy. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - FOURTH REPORT

NOMINATING COMMITTEE - SECOND REPORT

COMMITTEE OF THE WHOLE - THIRD REPORT

ACTING MAYOR FOR THE MONTH OF FEBRUARY, 1998

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman A. Horwath be appointed Acting Mayor for the month of February, 1998. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:35 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1998 January 27

C O R R E S P O N D E N C E

Correspondence:

1. 1998 January 26 from the Hamilton Harbour Commissioners respecting a Memorandum of Agreement. (previously distributed)

Recommendation: **Be Referred to the Finance and Administration Committee.**

2. Memorandum from J. J. Schatz, City Clerk Re: 1997 Municipal Election Financial Reporting Requirements.

Recommendation: **Be Received.**

3. Application dated 1998 February 2 from 1215443 Ontario Inc., Michael Bobiash, 133 Park Street West, Dundas, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District for 243 Fennell Avenue East, Hamilton, Ontario.

Recommendation: **Be Received.**

605 James St. N.
Hamilton, Ontario, Canada
L8L 1K1

Phone Numbers
Hamilton 905-525-4330
Inwats 1-800-263-2131

Fax Numbers
Administration 905-528-6282
General Office 905-528-6554



The Hamilton
Harbour
Commissioners

January 26, 1998

The Corporation of the City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Attn: Mr. J.J. Schatz
City Clerk

Dear Mr. Schatz;

RE: MEMORANDUM OF AGREEMENT, SEPTEMBER 29, 1997,

Further to our correspondence to your dated November 18, 1997, respecting the above, please be advised that at its Special Meeting of January 13, 1998, the Board of Commissioners reconsidered its resolution of November 18, 1997, related to the Memorandum of Agreement. The Board passed the following resolution (appended hereto as Schedule "A") at the said meeting.

Yours Truly,
THE HAMILTON HARBOUR COMMISSIONERS

R. Scott Smith
Secretary to the Board of Commissioners

cc. Chairman P.J. Dillon
Commissioner L.L. Wilson
Commissioner B.K. Hinkley

4. The matter of the Memorandum of Agreement dated September 29, 1997 was reconsidered.

IT WAS MOVED BY Commissioner B. K. Hinkley
SECONDED BY Commissioner L. L. Wilson
Chairman P. J. Dillon OPPOSED

BE IT RESOLVED;

THAT the Memorandum of Agreement dated September 29, 1997 be approved.

CARRIED

5. Further to the approval of the Memorandum of Agreement dated September 29, 1997, certain concerns respecting the said Memorandum of Agreement were discussed.

After discussion,

IT WAS MOVED BY Commissioner B. K. Hinkley
SECONDED BY Commissioner L. L. Wilson

BE IT RESOLVED;

THAT the Board of Commissioners raise with the City Council the following concerns with respect to the ratification of the said Memorandum of Agreement dated September 29, 1997:

- 5.1 In order to satisfy the Commissioners' concerns with respect to the indemnification, the transfer of Waterlots will be made for the following consideration;
- (a) The said transfer is full and final compensation for any and all rights, privileges, payments and entitlements flowing to the City from the Hamilton Harbour Commissioners' Act (1912), as amended.
 - (b) The City acknowledge that the lands of the H.H.C. will continue to be tax exempt (unless leased out) following the continuance of the H.H.C. as the Hamilton Port Authority.
 - (c) The City will proceed in co-operation with the H.H.C., or its successor, to expeditiously resolve any outstanding planning matters.
 - (d) A right-of-way for a perimeter road being identified and dedicated by the City. A public waterfront trail and fish habitat restoration work will be incorporated into the shoreline development. The construction of the perimeter road will commence in concert with the development of the waterlots.

- (e) A moratorium being obtained from the Minister of Transport on the stipend payable under the Canada Marine Act to the full value of the H.H.C. grant to the City in addition to any other moratorium or phase-in being granted as a matter of course, generally, to other Canada Port Authorities, all to be set out in the letters patent.

5.2 AND THAT the Board of Commissioners understand the following:

- (a) The limits of Waterlots 1, 2 and 4 are as shown on the map appended hereto as Schedule "B".
- (b) All legal, survey and transaction costs being paid by the City.
- (c) The transfer being subject to existing private waterlots and covenants on title, including the City obtaining the release of any riparian rights.
- (d) The waterlots being independently evaluated and the market value being recorded in the accounts of both parties as an equivalent dollar grant from the H.H.C. , or its successor, to the City.
- (e) The waterlots not being filled, or developed for commercial purposes, without the consent of the H.H.C. or its successor.
- (f) The City granting to the H.H.C., or its successor, a right of first refusal to purchase all or any part of the waterlots at market value should the City at any time wish to dispose of the waterlots or any part thereof.

5.3 AND THAT the Commissioners and City of Hamilton meet to discuss these matters within sixty(60) days from the date of this Board Meeting.

CARRIED

OFFICE OF THE CITY CLERK

2.

MEMORANDUM

TO: Mayor R.M. Morrow
and Members of City Council

FROM: J.J. Schatz, City Clerk

PHONE: 546-2727

SUBJECT: **1997 Municipal Election
Election Financial Reporting Requirements**

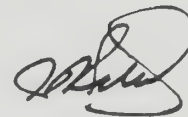
DATE: 1998 February 5

Pursuant to Section 78(1) of the Municipal Elections Act, all Candidates were required to file with the Clerk, the required Financial Reports in the prescribed form by 1998 February 2.

Pursuant to Section 80(3) of the Municipal Elections Act, I am required to provide Council with copies of any "Notices of Default" issued to Candidates who have failed to comply with Section 78(1).

Please find attached Notices of Default issued to the following Candidates:

Wendell Fields, Candidate for Mayor
Henry Merling, Candidate for Alderman Ward 7
Nick Caluori, Candidate for Alderman Ward 8



c.c. Robert Prowse, Regional Clerk, Region of Hamilton-Wentworth



**City of
HAMILTON**

NOTICE OF DEFAULT

Municipal Elections Act, 1996 (S.80(3))

To: Wendell Fields (Candidate for Mayor)
103 Erie Avenue, Hamilton, Ontario, L8N 2W5

From: The Clerk of the Corporation of the City of Hamilton

TAKE NOTICE that you are in default of the requirements of the Municipal Elections Act, 1996 because:

You failed to file documents with the Municipal Clerk as required by Section 78 of the Municipal Elections Act, 1996 on or before 1998 February 2nd.

THE FOLLOWING PENALTY SHALL APPLY:

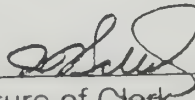
You are ineligible to be elected or appointed to any office to which the Municipal Elections Act, 1996 applies until after the next regular election.

PURSUANT TO SECTION 80(6) OF THE MUNICIPAL ELECTIONS ACT, 1996 YOU MAY APPLY ON OR BEFORE MONDAY, FEBRUARY 16, 1998 TO THE ONTARIO COURT (PROVINCIAL DIVISION) FOR DECLARATION THAT THE PENALTIES DO NOT APPLY TO YOU.

THE PENALTIES SHALL TAKE EFFECT:

- (1) If your application pursuant to Section 80(6) of the Municipal Elections Act, 1996 is refused, on the date it is refused; or
- (2) If you do not apply pursuant to Section 80(6) of the Municipal Elections Act, 1996, on Tuesday, February 17, 1998.

1998 February 4
Date


Signature of Clerk



**City of
HAMILTON**

NOTICE OF DEFAULT

Municipal Elections Act, 1996 (S.80(3))

To: Henry Merling (Candidate for Alderman Ward 7)
86 Salem Avenue, Hamilton, Ontario, L9A 3W3

From: The Clerk of the Corporation of the City of Hamilton

TAKE NOTICE that you are in default of the requirements of the Municipal Elections Act, 1996 because:

You failed to file documents with the Municipal Clerk as required by Section 78 of the Municipal Elections Act, 1996 on or before 1998 February 2nd.

THE FOLLOWING PENALTY SHALL APPLY:

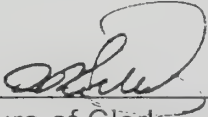
You are ineligible to be elected or appointed to any office to which the Municipal Elections Act, 1996 applies until after the next regular election.

PURSUANT TO SECTION 80(6) OF THE MUNICIPAL ELECTIONS ACT, 1996 YOU MAY APPLY ON OR BEFORE MONDAY, FEBRUARY 16, 1998 TO THE ONTARIO COURT (PROVINCIAL DIVISION) FOR DECLARATION THAT THE PENALTIES DO NOT APPLY TO YOU.

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1998 February 4
Date



Signature of Clerk



**City of
HAMILTON**

NOTICE OF DEFAULT

Municipal Elections Act, 1996 (S.80(3))

To: Nick Caluori (Candidate for Alderman Ward 8)
60 Elodia Court, Hamilton, Ontario, L9C 7R2

From: The Clerk of the Corporation of the City of Hamilton

TAKE NOTICE that you are in default of the requirements of the Municipal Elections Act, 1996 because:

You failed to file documents with the Municipal Clerk as required by Section 78 of the Municipal Elections Act, 1996 on or before 1998 February 2nd.

THE FOLLOWING PENALTY SHALL APPLY:

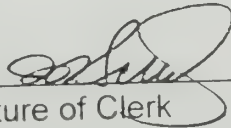
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- (2) If you do not apply pursuant to Section 80(6) of the Municipal Elections Act, 1996, on Tuesday, February 17, 1998.

1998 February 4
Date


Signature of Clerk

REPORTS

**TRANSPORT & ENVIRONMENT
COMMITTEE**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **THIRD** Report for 1998 and respectfully recommends:

1. That the existing "Permit Parking" regulation on the west side of Tragina Avenue South commencing at a point 25 feet north of Central Avenue and extending to a point 29 feet northerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
2.
 - (a) That a "Permit Parking" regulation be implemented on the south side of Burton Street commencing at a point 199 feet east of Douglas Street and extending to a point 16 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Louis Amorim, No. 114 Burton Street.
3.
 - (a) That the existing "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Murray Street East commencing at a point 37 feet east of James Street North and extending to a point 46 feet easterly therefrom be removed; and,
 - (b) That the existing "Permit Parking" regulation on the south side of Murray Street East commencing at a point 83 feet east of James Street North and extending to a point 72 feet west of Hughson Street North be shortened such that the regulation commences at a point 128 feet east of James Street North and extends to a point 72 feet west of Hughson Street North; and,
 - (c) That three one-hour parking meters be installed on the south side of Murray Street East commencing at a point 37 feet east of James Street North and extending to a point 65 feet easterly therefrom; and,
 - (d) That the City Traffic By-law No. 89-72 be amended accordingly; and,

- (e) That the maximum number of permits to be issued to residents of Murray Street East between James Street North and Hughson Street North be reduced from seven to six.
- 4. That a "No Stopping" corner clearance be implemented on the east side of High Street commencing at Fennell Avenue East and extending to a point 41 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 5. That southbound traffic on Cottage Avenue be required to stop for eastbound and westbound traffic on Orchard Hill, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 6. That eastbound and westbound traffic on Iona Avenue be required to stop for northbound and southbound traffic on Brodick Street/Yarmouth Court, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 7. That westbound traffic on Robespierre Court be required to stop for northbound and southbound traffic on Republic Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 8. That a purchase order be issued to IBIS Products Limited, Scarborough, Ontario, for the supply and delivery of traffic paint as and when required during 1998 by the Public Works and Traffic Department, being the lowest of two bids received and being in accordance with the specifications issued by the Purchasing Division's tender, and that the estimated expenditure of \$225,000 be financed through the Pavement Markings Account No. CH56153 75999.
- 9. That a purchase order be issued to Canadian Roadway Products, North York, Ontario, for the supply and delivery of sign blanks as and when required during 1998 by the Traffic Division, being one of the lowest of five bids received on items being recommended and supplying material in accordance with specifications issued by the Purchasing Division, and that the estimated expenditure of \$90,000 be financed through the Traffic Signs Materials Account No. CH56152 75999.

10. That a purchase order be issued to 3 M Canada Inc., London, Ontario, for the supply and delivery of sign sheeting as and when required during 1998 by the Public Works and Traffic Department, being the only bid received and being in accordance with the specifications issued by the Purchasing Division's tender, and that the estimated expenditure of \$450,000 be financed through the Traffic Signs Materials Account No. CH56154 75999.
11. That a full-time "Wheelchair Loading Zone" regulation be implemented on the south side of Albany Avenue commencing at a point 194 feet east of Robins Avenue and extending to a point 21 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
12. That the existing full-time "No Stopping, Wheelchair Loading Zone" regulation on the east side of Norman Street commencing at a point 107 feet north of Campbell Avenue and extending to a point 35 feet northerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
13. That a purchase order be issued to Fortran Traffic Systems Ltd., Toronto, Ontario, for the supply and delivery of pedestrian signal heads and vehicle signal heads required during 1998 by the Traffic Division, being the lowest acceptable bid received on items being recommended and supplying material in accordance with specifications issued by the Purchasing Division, and that the estimated expenditure of \$200,000 be financed through the Traffic Signals Materials Account No. CH56152 75999.
14. That a purchase order be issued to USS Manufacturing Inc., Renfrew, Ontario, for the supply and delivery of traffic signal poles required during 1998 by the Traffic Division, being the lowest acceptable bid received on items being recommended and supplying material in accordance with specifications issued by the Purchasing Division, and that the estimated expenditure of \$90,000 be financed through the Traffic Signals Materials Account No. CH56152 75999.
15. That the definition of "Commercial Vehicle" in the City Traffic By-law No. 89-72 be amended to include any motor vehicle which is being used for the purpose of loading or unloading goods or passengers, and which has attached to both of its sides, while such loading or unloading is taking place, a sign no smaller than 150 square inches, identifying the company in whose service the vehicle is employed.

16. (a) That Section 27 (a) of the Sixth Report of the Transport and Environment Committee for 1995, approved by Council on 1995 May 9, approving the location of an outdoor boulevard cafe at No. 554 James Street North, on the adjacent Wood Street road allowance, on a one year trial basis, be amended to delete the phrase "on a one year trial basis" and that Section 27 (c) of the Sixth Report of the Transport and Environment Committee for 1995 be amended to delete the clause "and that the approval be for a trial period ending 1995 October 31 at which time the issue will be reviewed"; and,
- (b) That the Mayor and the City Clerk be authorized and directed to execute the Boulevard Cafe Agreement.
17. (a) That the City's "Flat Rate Fee" for the recovery of outstanding City of Hamilton municipal servicing costs along 0.30 metre reserves, be adjusted from the present rate of \$330 per metre of property frontage and/or flankage to \$337 per metre of property frontage and/or flankage for 1998; and,
- (b) That the revised "Flat Rate Fee" be applied to all costs recovered in 1998 along 0.30 metre reserves after adoption of the proposed rate in sub-section (a) above.
18. (a) That the following City land be incorporated into the following streets:

Locheed Drive	Part 20	62R-14356
Rexford Drive	Parts 5 and 7	62R-10808
Highridge Avenue	Block "E"	M-162
- (b) That the By-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the City Solicitor and be enacted by Council; and,
- (c) That the Commissioner of Transportation be authorized and directed to register the By-laws.
19. That a purchase order be issued equally to Intrex Inc., St. Albert, Alberta, and to Fortran Traffic Systems Ltd., Toronto, Ontario, for the supply and delivery of traffic signal controllers and associated equipment required during 1998 by the Traffic Division, being the acceptable bids received on items being recommended and supplying material in accordance with specifications issued by the Purchasing Division, and that the estimated expenditure of \$500,000 be financed through the Traffic Signals Materials Account No. CH56152 75999.

20. That the City Traffic By-law No. 89-72 be amended to prohibit stopping within distances of up to 50 feet of any intersection, provided that suitable signs are erected and maintained.
21. That International Media Advertising Inc. (No. 95 Barber Greene Road, Suite 200, Don Mills, M3C 3E9) and Bell Canada (Bell Canada Payphone Service, No. 40 Noralco Drive, North York M9L 2X6) be permitted to install and maintain advertising panels and community service information, on both the interior and exterior of a maximum of 6 public payphones, measuring 0.81m x1.10m onto City Road Allowances, with the exception of areas within the downtown core, for a one (1) year trial period, subject to the following conditions:
 - (a) That an Agreement be entered into, between the City of Hamilton, International Media Advertising Inc., and Bell Canada in a form satisfactory to the City Solicitor; and,
 - (b) That the applicant(s) provide an alphabetical street name inventory, defining where all panels are placed on the road allowance and facilities; and,
 - (c) That the applicant(s) provide \$5,000,000 public liability insurance, naming the City and the Region as added insured parties, and saving the City and the Region harmless from all action, interests, claims, demands, costs, damages, expenses, and loss; and,
 - (d) That the Mayor and the City Clerk be authorized and directed to execute the Agreement on behalf of the City; and,
 - (e) That the applicant pay to the City 12.5 percent of Bell Canada's advertising revenues per panel, per year, credited to Unclassified Revenue Account Centre 75001; and,
 - (f) That the term of the Agreement commence 1998 February 10, and terminate 1999 February 11; and,
 - (g) That the content of the advertising be in a form acceptable to the City and that the applicant receive approval from the Commissioner of Transportation for new advertisements; and,
 - (h) That the City retain the right to approve or reject any or all advertising; and,

- (i) That the City Streets By-law No. 9329, be amended to permit non-accessory signs attached to public phone booths located on City streets.
 - (j) That the installation of advertising panels in public payphones be subject to the approval of the Ward Aldermen in whose ward the advertising is proposed.
22. That the Commissioner of Public Works and Traffic be authorized to advertise the proposed road closure by-law for the closure of Mead Avenue to vehicular traffic at a point 230 meters east of the easterly limit of Parkdale Avenue.
23. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) A-13 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic
 - (b) A-14 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic
 - (c) A-15 A By-law to Assume a One Metre Portion of the unassumed Lane which extends between Beulah Avenue and Miles Court, said Lane laid out upon Registered Plan 605, and to Close such assumed portion of Lane to vehicular traffic
 - (d) A-16 A By-law to Incorporate City Land Designated as Part 20 on Plan 62R-14356 into Lockheed Drive
 - (e) A-17 A By-law to Incorporate City Land Designated as Parts 5 and 7 on Plan 62R-10808 into Rexford Drive
 - (f) A-18 A By-law to Incorporate City Land Designated as Block E on Plan M-162 into Highridge Drive

Respectfully Submitted,

**ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

Kevin C. Christenson, Secretary

1998 February 2nd

**PLANNING & DEVELOPMENT
COMMITTEE**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRD** Report for 1998 and respectfully recommends:

1. That approval be given to Amended Zoning Application ZAC-97-34, Frank Mulas, prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "RT-20" - "H" (Townhouse-Maisonette - Holding) District, to permit the development of 9 townhouse units, for property located at 1126 Garth Street, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands by introducing the holding symbol "H" as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as the prospective owner applies for and receives approval of a Site Plan Control application.

City Council may remove the "H" symbol, and thereby give effect to the rezoning and modified provisions as stipulated in this By-law, by enactment of amending By-law once the condition is fulfilled; and,
 - (b) That the subjects lands be rezoned from "AA" (Agricultural) District to "RT-20" - "H" (Townhouse-Maisonette - Holding) District; and,
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning District Map W-27A for presentation to City Council; and,
 - (d) That upon approval of the Zoning By-law amendment, the Gilbert Neighbourhood Plan be amended by redesignating the subject lands from "Low Density Apartments" to "Attached Housing"; and,
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the City of Hamilton Planning Area.
2. (a) That approval be given to Zoning Application 97-40, McDonalds Restaurants of Canada, prospective owner, for a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified, to permit additional parking

in conjunction with a proposed restaurant use at Nos. 787-791 Barton Street East, for lands located at No. 184 Lottridge Street, as shown on the attached map marked as Appendix "B", on the following basis:

- (i) That the subject lands be rezoned from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified; and,
- (ii) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14. of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances, as special requirements:
 - (1) That notwithstanding Section 18A(36)(b) a distance not less than 1.5 m shall be provided and maintained between a residential district and the parking area used in conjunction with a restaurant; and,
 - (2) That notwithstanding Section 18A(36)(b) a distance of not less than 7.5 m shall be provided and maintained between a residential district and the manoeuvring area and the access driveway used in conjunction with a restaurant; and,
 - (3) That notwithstanding Section 18A(36)(c) a landscaped area of not less than 3.5 m in width shall be provided and maintained along and within the westerly lot line abutting Lottridge Street; and,
 - (4) That no access shall be permitted from Lottridge Street; and,
- (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1396, and that the subject lands on Zoning District Map E-32 be notated S-1396; and,
- (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-32 for presentation to City Council; and,
- (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
- (b) That upon finalization of the implementing Zoning By-law, the subject lands be redesignated from "Single and Double Residential" to "Commercial" in the Approved Stipeley Neighbourhood Plan; and,

- (c) That Schedule "A" to Site Plan Control By-law No. 79-275, as amended by By-law No. 87-233, be further amended by adding the lands located at No. 184 Lottridge Street, and that the City Solicitor be directed to prepare a Site Plan Control By-law for presentation to City Council.
- 3. That the City of Hamilton inform Wesley Urban Ministries that due to the criteria and costs associated with the relocation of the Drop in Centre at No. 195 Ferguson Avenue North, the City is unable to assist in its relocation.
- 4. That Section 3 of the Second Report of 1998 of the Planning and Development Committee, as approved by Council on 1998 January 27 be amended as follows:
 - (a) Section 3(c)(i) be deleted and replaced with the following:

"That notwithstanding Section 9A(2)(c)(1), a minimum average lot width of 9.0 m shall be permitted; and,"
 - (b) Section 3(d)(i) be deleted and replaced with the following:

"That notwithstanding Section 9(4), a minimum lot width of at least 11.43 m and a minimum lot area of 318.0 m² shall be permitted; and,"
- 5. That the City's Site Plan Agreement Policy requiring the provision of a registered easement in favour of the City be relaxed entirely where site access provisions, satisfactory to the City Solicitor, are included within the Registered Site Plan Agreement and where no encumbrances are registered in priority to the City's Site Plan Agreement.
- 6.
 - (a) That reductions of security held under Site Plan Agreements be permitted to an amount equal to the total value of the works outstanding, but not less than 10% of the total value of the works required under the Agreement; and,
 - (b) That reductions be dealt with on a request basis; and,
 - (c) That a Two Hundred Dollar (\$200) administration fee be levied by the Building Commissioner for each security reduction request; and,
 - (d) That reduction requests be reviewed and processed by the Building Department upon the production by the Applicant, at the Applicant's sole expense, of an Engineer's Certificate, satisfactory to the Building Commissioner, which indicates:
 - (i) a description of what works have been completed; and,

- (ii) the percentage of the total value of the works under the Site Plan Agreement that have been completed to date; and,
 - (iii) that the amount of security remaining with the City is sufficient to cover the remainder of the work required under the Site Plan Agreement; and,
 - (e) That the City's Site Plan Agreement be revised accordingly; and,
 - (f) That the above changes to the City's Site Plan Policy be implemented so as to be retroactive to all Site Plan Agreements on a request by the owner basis.
7. That Schedule "A" and "B" of By-law No. 87-308, as amended, appointing the Barton Village B.I.A.'s Board of Management be repealed and the following names be substituted:

SCHEDULE "A"

Alderman B. Morelli
Alderman D. Haining

SCHEDULE "B"

Dimitri Boukhers	Farah's Foodmart (tenant)
Jody Hendry	Hendrys Family Shoes (nominated by owner)
Terry Franceour	Mugsy's Place (nominated by owner)
Sandra Manners	Westinghouse Canada Inc. (nominated by owner)
John Hilger	Ways to Wisdom (owner)
John Howard	Econ-o-wash Laundry (owner)
Paul Nusca	Nusca Custom Tailors Ltd. (owner)
Marco Tollis	Riviera Banquet Centre (owner)
Nick LaSala	Nick's Auto Service (owner)
Robert Palmese	Palmese Photodesign Group Inc. (owner)

8. (a) That the 1998 operating budget for the Barton Village B.I.A., attached hereto as Appendix "C", be approved in the amount of thirty thousand dollars (\$30,000); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O., 1990, to levy the 1998 budget referenced in (a) above; and,
- (c) That the following schedule of payments for 1998 be approved:

February 01	\$7,500
March 01	\$7,500
June 01	\$7,500
September 01	\$7,500

NOTE: 1997 levy arrears will be deducted from the payment for 1998.

9. (a) That approval be given to revised Subdivision Application (Regional File No. 25T-91007(R)), 900074 Ontario Inc. (Gordon Construction Company), owner, to establish a draft plan of subdivision "James Mount Gardens", on lands located at 1451-1471 Upper James Street and south-east of DiCenzo Drive, in the Ryckmans Neighbourhood, as shown on the attached map marked as Appendix "D" subject to the following conditions:
- (i) That this approval apply to the plan as revised in red, prepared by Planning and Engineering Initiatives Ltd. and certified by B.A. Jacobs, O.L.S., dated May 7, 1997, showing 13 lots for two family dwellings (Lots 1-13), 1 block to be developed in conjunction with adjacent lands for a two family dwelling (Block 21), 2 blocks to be developed in conjunction with the adjacent lands for street townhouses (Blocks 19 and 20), 6 blocks to be developed with the adjacent lands for single detached dwellings (Block 22 and Blocks 26-30, inclusive), 5 blocks for street townhouses (Blocks 14-18), 1 block for commercial development (Block 23), 2 blocks for 0.3 m reserves (Blocks 24-25), and 3 streets identified as Street "A", Street "B" and DiCenzo Drive Extension, attached as Appendix "D"; and,
- (ii) That the Owner establish the following Streets to their full width and that these lands be conveyed to the City of Hamilton prior to registration of the final plan of subdivision to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department:
- (1) Regina Drive from Upper James Street to the extension of DiCenzo Drive; and,
 - (2) DiCenzo Drive be established and constructed northerly from Regina Drive to connect to the existing DiCenzo Drive; and,
 - (3) Street "A" from the DiCenzo Drive Extension to the south-easterly limits of the draft plan; and,
 - (4) Street "B" from the southerly limits of the draft plan to Street "A"; and,

- (iii) That the applicant/owner purchase lands shown as Parts 1 and 4, on Reference Plan 62R-12942, from the City of Hamilton and fulfil all the conditions of Offer to Purchase as stated in Item No. 27 of the 5th Report of the Transport and Environment Committee approved by City of Hamilton Council on April 11, 1995 prior to registration of the first phase of development; and,
- (iv) That Parts 1 and 4 on Reference Plan 62R-12942 be developed only in conjunction with lands at Nos. 1451 and 1471 Upper James Street and that Parts 1 and 4 on Reference Plan 62R-12942 be included in the final plan of subdivision for "James Mount Gardens"; and,
- (v) That the applicant/owner pay to the City of Hamilton and/or the Regional Municipality of Hamilton-Wentworth one-half of the costs for the construction of Regina Drive adjacent to Parts 1 and 4 on Reference Plan 62R-12942 excluding oversizing costs; and,
- (vi) That the extension of DiCenzo Drive align centreline to centreline with DiCenzo Drive as established by Plan 62M-689 at the north end and Parts 2 and 4 on Reference Plan 62R-12821 at the south end of the draft plan; and,
- (vii) That the construction of Regina Drive from Upper James Street to DiCenzo Drive to its full width must be included in the first phase of development of this draft plan and the construction of DiCenzo Drive from Regina Drive to the existing DiCenzo Drive at the north limits of the draft plan must be included with the first phase of development which includes any residential development; and,
- (viii) That the Owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of the subject lands; and,
- (ix) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes; and,
- (x) That the owner prepare and submit a phasing plan to the satisfaction of the Manager, Traffic Planning, Department of Public Works and Traffic and the Commissioner, Regional Environment Department; and,
- (xi) That Streets "A" and "B" be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,

- (xii) That the owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,
- (xiii) That the final plan conform with the Zoning By-law approved under the Planning Act; and,
- (xiv) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan; and,
- (xv) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,
- (xvi) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,
- (xvii) That the applicant prepare and implement an erosion and sediment control plan for the subject property to the satisfaction of the Hamilton Region Conservation Authority and the City of Hamilton. The approved plan will include the following:
 - (1) All erosion and sediment control measures shall be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated; and,
 - (2) All erosion and sediment control measures shall be inspected after each rainfall and maintained to the satisfaction of the Authority Engineer; and,
 - (3) Any disturbed area not scheduled for further construction within 45 days shall be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and,
 - (4) All disturbed areas shall be revegetated with permanent cover immediately following completion of construction; and,
- (xviii) That the applicant prepare and implement a storm water management plan for the subject property to the satisfaction of the Hamilton Region Conservation Authority and the City of Hamilton. This plan shall address water quality and quantity issues in accordance with current provincial guidelines and will ensure that post developments flows will equal pre-development levels; and,

- (xix) That the Owner merge in title Blocks 19, 20, and 21 with Block 5 of Registered Plan 62M-689, to the satisfaction of the Director, Planning and Development Department and the City Solicitor; and,
- (xx) That the Owner merge in title Block 22 with Lot 19 of Registered Plan 62M-689, to the satisfaction of the Director, Planning and Development Department and the City Solicitor; and,
- (xxi) That the Owner merge in title Block 26 with Block 52 of Registered Plan 62M-689, to the satisfaction of the Director, Planning and Development Department and the City Solicitor; and,
- (xxii) That the Owner agree in writing that Blocks 27 to 30, inclusive, will be developed in conjunction with the abutting lands; and,
- (xxiii) That Blocks 27 to 30, inclusive, and Lot 5 not be registered until such time as Aquasanta Crescent has been extended southerly to provide road frontage for the development of Blocks 27 to 30, inclusive, to the satisfaction of the Director, Planning and Development Department and the City Solicitor; and,
- (xxiv) That the owner shall carry out an archaeological assessment of the entire development property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading or other soil disturbances shall take place on the subject property prior to the City of Hamilton and the Ministry of Citizenship, Culture and Recreation confirming that all archaeological resources concerned have met licensing and resource conservation requirements; and,
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-91007(R)), 900074 Ontario Inc., owner, revised draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
- (c) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision; and,
- (d) That approval be given to amended Zoning Application 97-24, 900074 Ontario Inc. Setay Investment c/o Mr Gordon Albini, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District modified, for Blocks

"1" & "3"; from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District, for Block "2"; and from "RT-30" (Street-Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District modified, for Block "4", to permit development of the subject lands for Two Family Dwellings (Blocks "1", "3" and "4") and Street Townhouses (Block "2") for the property located at the rear lands of 1451-1471 Upper James Street and south east of DiCenzo Drive, shown on the attached map marked as Appendix "E", on the following basis:

- (i) That Blocks "1" & "3" be rezoned from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District; and,
- (ii) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District; and,
- (iii) That Block "4" be rezoned from "RT-30" (Street-Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District; and,
- (iv) That the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations, as contained in Section 10 of Zoning By-law No. 6593, applicable to Blocks "1", "3" and "4" be modified to include the following variance as a special provision:
 - (1) That notwithstanding Section 10.(4)(ii), a two family dwelling shall provide and maintain a lot width of at least 16.0 m and an area of at least 515.0 m²; and,
- (v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1395, and Blocks "1", "3" and "4" on Zoning District Map E-9D be notated S-1395; and,
- (vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9D for presentation to City Council; and,
- (vii) That the approved Ryckmans Neighbourhood Plan be amended by realigning the road pattern and redesignating Block "2" from "Single and Double Residential" to "Attached Housing", and Block "4" from "Attached Housing" to "Single and Double Residential" upon finalization of the implementing By-law; and,
- (viii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,

- (e) That Site Plan Control By-law No. 79-275, as amended by By-law 87-233, be amended by adding Block "21" and Lot "2" of Draft Plan of Subdivision for "James Mount Gardens" to Schedule "A".
10. That in respect of a proposed plan of condominium known as the "Bungalows at Chedoke", (located at Rice Avenue, near Chedmac Drive), which condominium received draft plan approval from Council at its meeting held on 1997 June 24, (Item 14, Tenth Report, Planning and Development Committee), the said approval be amended by adding the following:
- (a) That approval also be given to Part-Lot Control Application 98-01, submitted by Bungalows at Chedoke Limited Partnership, represented by its General Partner, Pica Group Inc., the developer, for a By-law to remove part-lot control from those portions of the Condominium Plan described as Parts 1 and 2, on Reference Plan 62R-14417 as shown on the map annexed hereto and marked as Appendix "F", which portions are intended to be the subject of transfers of rights-of-way in favour of Chedoke Health Corporation, the owner of adjacent land; and,
 - (b) That the said By-law to lift part-lot control be restricted to a time period expiring on 1999 January 30; and,
 - (c) That once the City Clerk is notified that the said plan of condominium has been registered, the said By-law be presented to Council for enactment; and,
 - (d) That following enactment of the said By-law, The Regional Municipality of Hamilton-Wentworth, (as delegate of the Minister of Municipal Affairs), be requested to grant approval to the By-law and endorse its approval on the by-law; and,
 - (e) That after the said By-law is so approved, the developer be authorized to register the said By-law on title to the condominium plan; and,
 - (f) That the conditions of Condominium approval also include the following conditions:
 - (i) the developer be required, prior to registration of the condominium plan, to register on title to the condominium site and the adjacent land, an Agreement of Purchase and Sale, (conditional upon the said by-law or Committee of Adjustment Consent), to transfer the said rights-of-way to the owner of the adjacent Phase II lands; and,
 - (ii) the developer be required, following registration of the said by-law to lift part-lot control or following Committee of Adjustment Consent, to cause the new Condominium Corporation to transfer the said rights-of-way free

and clear of all encumbrances to the owner of the adjacent Phase II land;
and,

- (iii) the developer agree to file with the City \$15,000 security to be held until the developer's lawyer has certified to the City that these conditions have been fulfilled; and,
- (iv) the City's Condominium Approval Agreement to be entered into with the developer shall include these conditions.

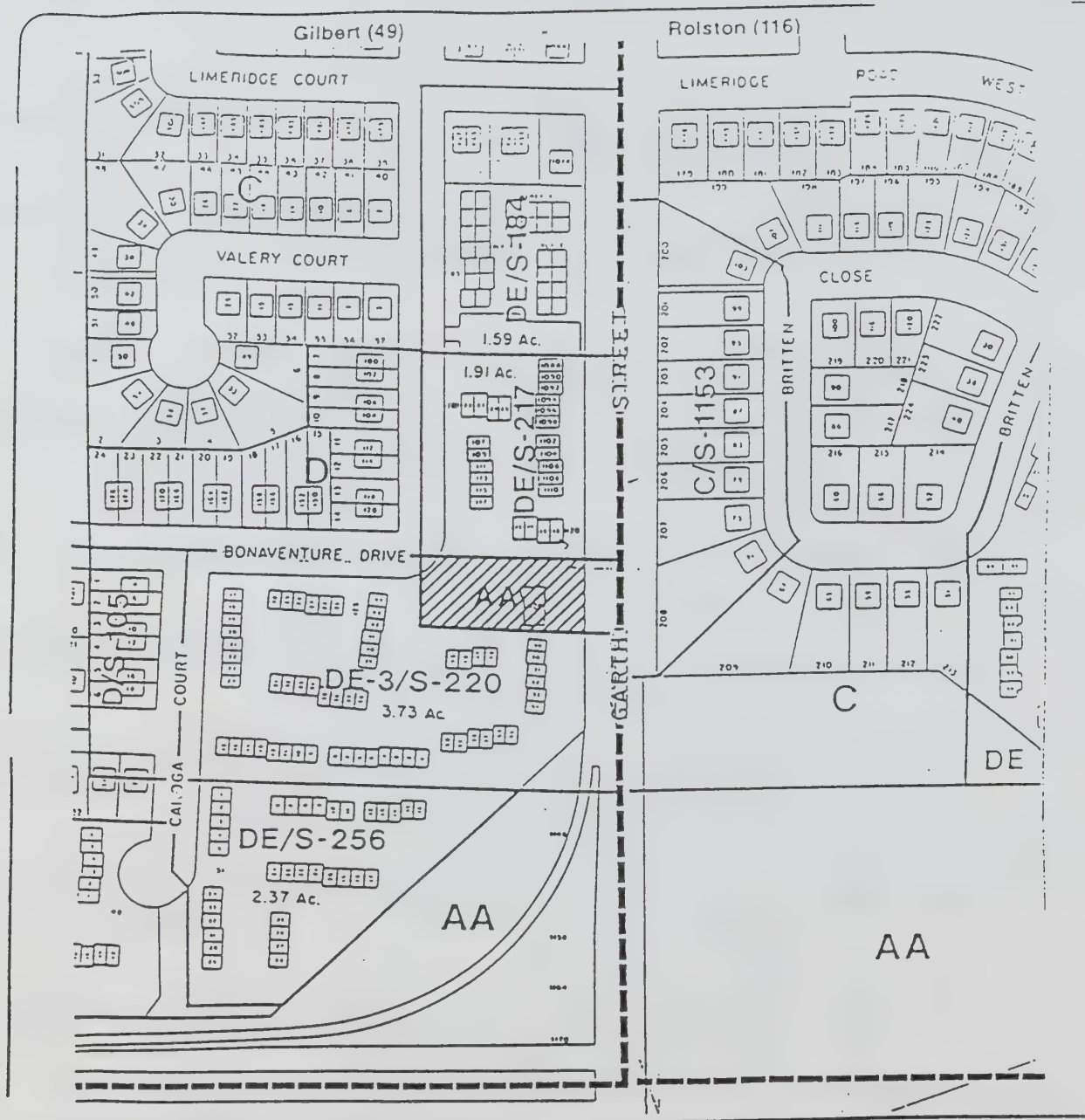
11. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-31 A By-law to Amend Zoning By-law 6593 Respecting Lands Located North of Mud Street, East of Mount Albion Road and West of the Municipal Boundary.
- (b) C-32 A By-law to Amend Zoning By-law 6593 Respecting Land Located at Municipal No. 21 Brantdale Avenue.
- (c) C-33 A By-law to Repeal Zoning By-law No. 98-27 Respecting Lands Located at Municipal No. 780 Upper Paradise Road.
- (d) C-34 A By-law to Amend By-law No. 86-73 as Amended by By-laws No. 92-058 and 98-043 Respecting Members of the Board of Management of the Downtown Hamilton Business Improvement Area.
- (e) C-35 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the Rear of Municipal Nos. 1451-1471 Upper James Street and South East of DiCenzo Drive.
- (f) C-36 A By-law to Establish Site Plan Control Respecting Land Located at the Rear of 1451-1471 Upper James Street.

Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Stella Glover, Secretary
1998 February 4**



Legend



Site of the Application

City of Hamilton

Location Map

Planning and Development Department

North



Scale
NOT TO SCALE

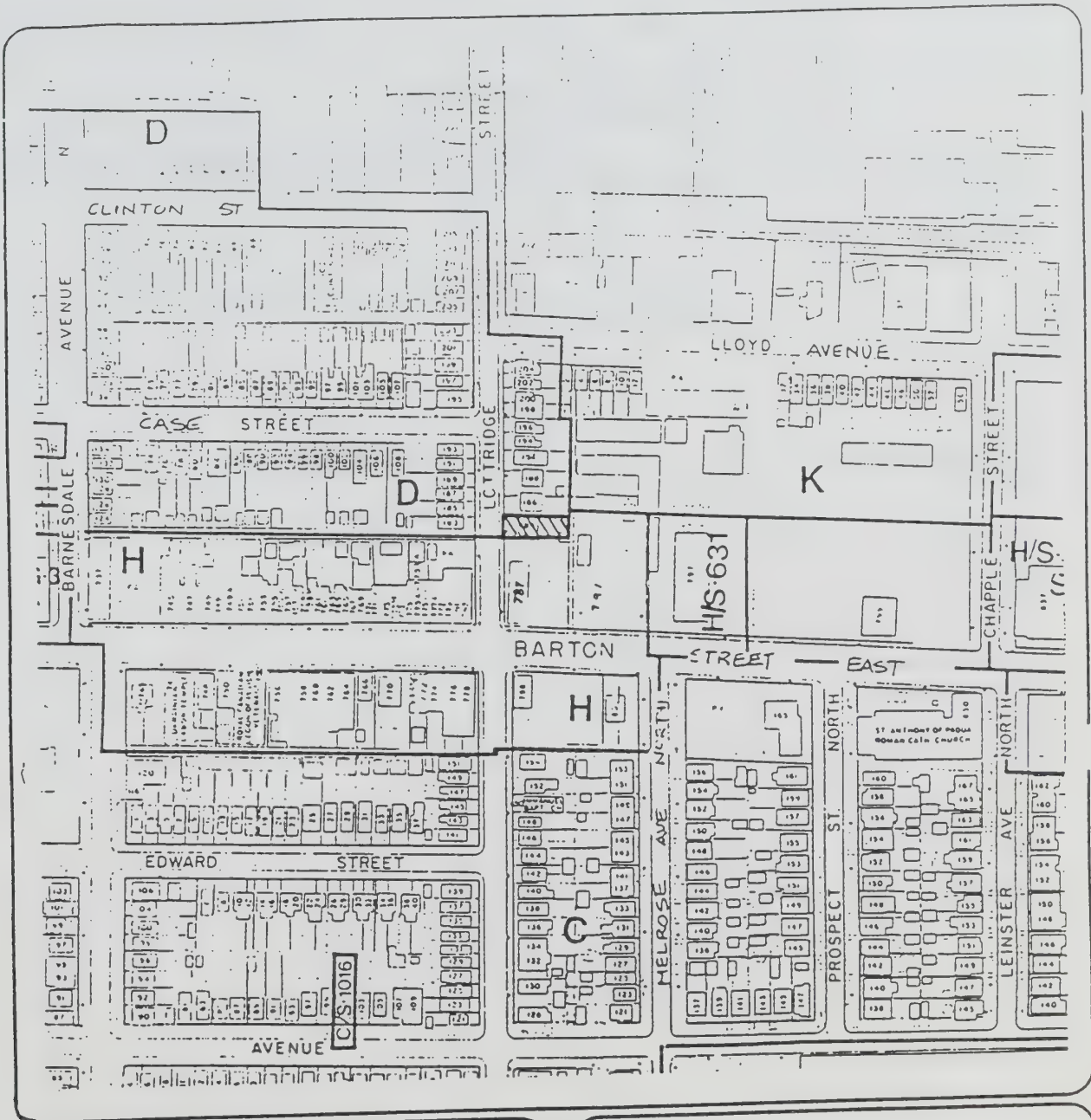
Date
OCTOBER, 1997

Reference File No
ZAC-97-34

Drawn By
R. L.

1998 February 10

Appendix "B" referred to in Section 2(a)
of the **THIRD** Report of the Planning and
Development Committee for 1998



Legend



Site of the Application

City of Hamilton

Location Map

Planning and Development Department

North



Scale
NOT TO SCALE

Date
December, 1997

Reference File No
ZAC-97-40

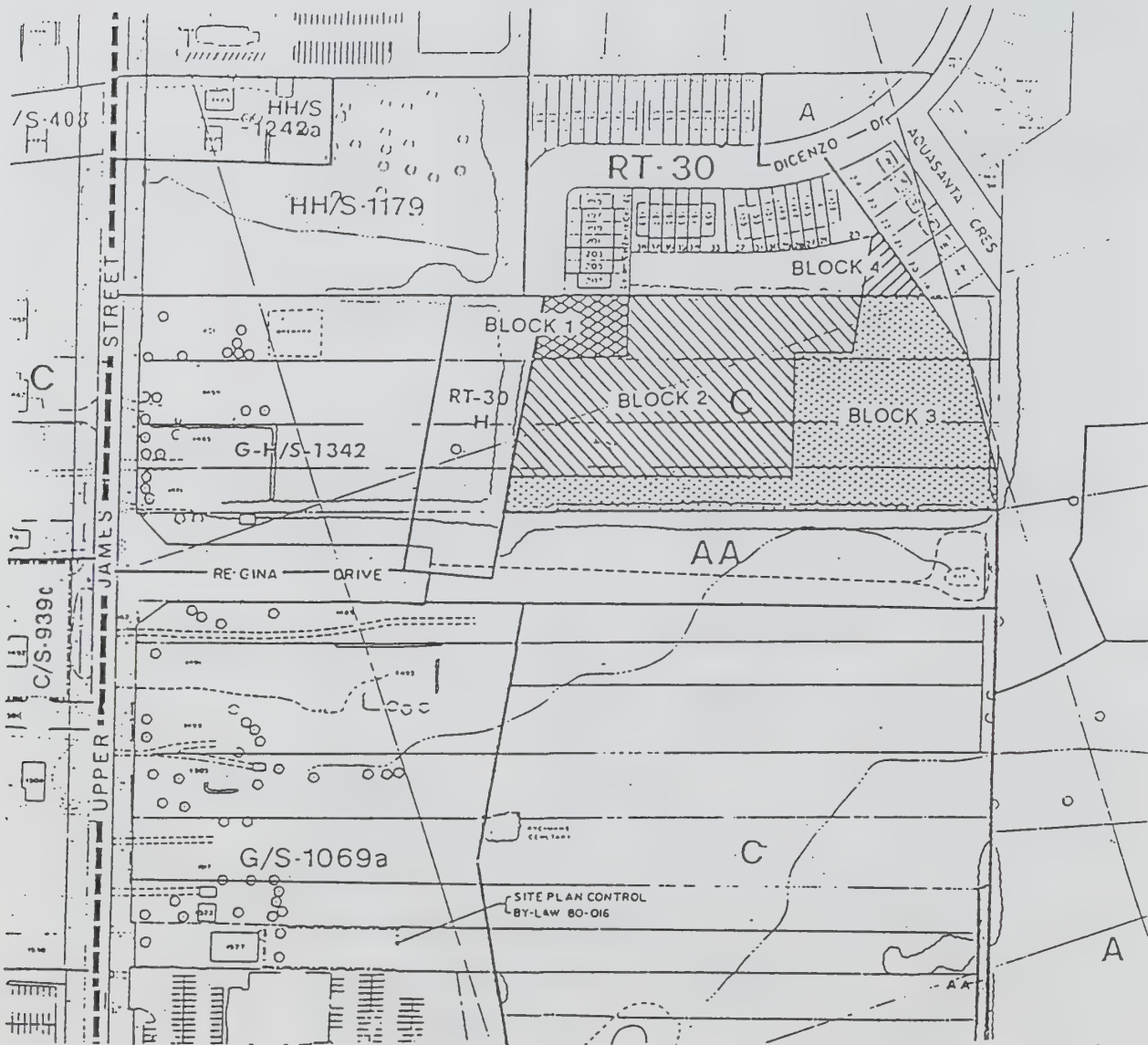
Drawn By
R.L.

**BARTON VILLAGE BUSINESS IMPROVEMENT AREA'S
(B.I.A.'S)****1998 OPERATING BUDGET**

<u>COMPONENTS</u>	<u>AMOUNT</u>
Wages	\$6,000.
Rent/Phone	\$ 800.
Insurance	\$ 810.
Hall Rental/Dinners (BIA Meetings)	\$ 490.
Allowance for Uncollected Levies	\$1,300.
Statue Donation	\$ 500.
Audit Fee	\$ 400.
Administration/Office Equipment	\$ 500.
Christmas Decoration Installation/Removal	\$1,000.
Advertising	\$6,000.
Special Events/Consultant Fees	\$6,000.
Business Development Fund	\$6,200.
TOTAL	<u>\$30,000.</u>


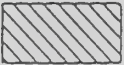

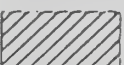
Appendix "D" referred to in Section 9(a) & 9(a)(i) of the **THIRD** Report of the Planning and Development Committee for 1998





Legend

Proposed change in zoning from:

BLOCK 1		"C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and two Family Dwellings, etc.) District, Modified.
BLOCK 2		"C" (Urban Protected Residential, etc.) District to "RT-30" (Street - Townhouse) District.
BLOCK 3		"C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and two Family Dwellings, etc.) District, Modified.
BLOCK 4		"RT-30" (Street - Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.


ZAC-97-24

1998 February 10

Appendix "F" referred to in Section 10(a) of the THIRD Report of the Planning and Development Committee for 1998



FINANCE & ADMINISTRATION
COMMITTEE

1998 February 10

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTH** Report for 1998 and respectfully recommends:

1. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

236 Grenfell St.
491 Cannon St. E.
44 Nicklaus Dr.

 - (b) That a by-law to authorize the said Extension Agreements be enacted by Council; and,
 - (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.
2. (a) That approval be given to the actions taken by the City Clerk in purchasing a City of Hamilton table of 10, at a cost of \$450, for the 60th Anniversary Annual Distinguished Citizen of the Year Award/The Hamilton Spectator 9th Annual Community Award/3rd Annual Recognition of Youth Achievement held at the Hamilton Convention Centre on Monday, 1998 January 26; and,
 - (b) That funding for this expenditure be charged to the Unclassified Account No. CH 55113 24201.
3. That as referred to in Section 12 of the Second Report for 1998 of the Planning and Development Committee approved by City Council on 1998 January 27th, the cost to hire an appraiser to make a professional evaluation of Bellevue, the designated property at 14 Belvidere Avenue, Hamilton up to an amount not to exceed \$3,000, be charged to the Planning and Development Department 1998 Current Budget.

4. That as referred to in Section 17 of the Second Report for 1998 of the Parks and Recreation Committee, approved by City Council on 1998 January 27th, the upset limited of \$12,600 as the cost of the Project by the Consultant residing at the Glen Manor be incorporated within the 1998 Budget Centre CH 62222, and that an appropriate Revenue Budget be established for the interest to be earned from the Veever's Estate.
5.
 - (a) That an amount of \$2,625.80 be approved for the Hamilton Corporate Challenge to be used for the cost of entering and sponsoring two teams (a total of 40 City of Hamilton employees) to take part in the Hamilton Corporate Challenge organized by the Hamilton and District Chamber of Commerce on Sunday, 1998 June 14 at Christie Conservation Area; and,
 - (b) That the funding for this expenditure be financed from the Unclassified Account number CH55120 24201.
6.
 - (a) That the Commissioner of Public Works and Traffic be authorized and directed to purchase and erect an aluminum portable fence to protect the property at 363 Wellington Street North from unauthorized access to a maximum amount of \$16,000; and,
 - (b) That the Commissioner of Public Works and Traffic retain the portable fence for events across the City after it is no longer required around this site; and,
 - (c) That the cost to purchase and erect an aluminum portable fence to protect the property at 363 Wellington Street North at an amount not to exceed \$16,000 be charged to Plastimet Fire - Public Works and Traffic Department Cost - Account No. CF 5200-2590 55002.
7. That the Mayor, the Chairman of the Finance and Administration Committee or his designate, and five members of City Council be authorized to attend the 61st Annual Conference of the Federation of Canadian Municipalities to be held in Regina, Saskatchewan on 1998 June 5 - 8.
8. That a purchase order be issued to Robert Slessor Pontiac Buick, Grimsby in the amount of \$163,235.60, including all applicable taxes, for the replacement of four (4) Crew Cabs with Moffatt Stake Dump Bodies #9240, 9394, 9304, and 9389 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649651019.

9. That a purchase order be issued to Robert Slessor Pontiac Buick, Grimsby in the amount of \$229,459.50, including all applicable taxes, for the replacement of five (5) Crew Cabs with Moffatt Aluminum Dump Bodies #9270, 9374, 9274, 9239 and 9269 for Fleet Services, being the lowest acceptable tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649651019.
10.
 - (a) That the Corporation of the City of Hamilton rent an excess Zamboni to the City of Toronto, for the amount of \$350 per week including all applicable taxes for the remainder of the ice-cutting season; and,
 - (b) That a Bylaw to authorize the rental of the Zamboni to the City of Toronto, be enacted; and,
 - (c) That the Mayor and the City Clerk be authorized to execute a rental agreement in a form satisfactory to the City Solicitor.
11.
 - (a) That the policy respecting the appointment of Citizen Members to City Committees, Local Boards and Commissions as adopted by City Council on 1992 September 29 be rescinded; and,
 - (b) That the following revised policy respecting the appointment of Citizen Members to City Committees, Local Boards and Commissions be adopted:
 - (i) That information on how to become a Citizen Member of City Committees, Local Boards and Commissions be included in the Municipal Handbook, copies of which are available to the general public from the City Clerk's Department; and,
 - (ii) That the City Clerk's Department be directed to advertise all Citizen Member vacancies on City Committees, Local Boards and Commissions, in The Hamilton Spectator; and,
 - (iii) That the City Clerk's Department notify all City Committees, Local Boards and Commissions of Citizen Member vacancies as they arise; and,
 - (iv) That ethno-cultural communities, organizations representing the disabled, the Native Indian Centre, women's groups, and all other organizations or individuals upon request, be notified of Citizen Member vacancies on City Committees, Local Boards and Commissions by the City Clerk's Department; and,

- (v) That the City Clerk's Department send notice of all Citizen Member vacancies on City Committees, Local Boards and Commissions to ethnic media in the Hamilton area requesting their assistance in passing this information on to as many interested citizens as possible, at no cost to the City; and,
- (vi) That all City Committees, Local Boards and Commissions that report to a Standing Committee or City Council, be requested to circulate their notice of meetings to the media; and,
- (vii) That all City Committees, Local Boards and Commissions be encouraged to hold some meetings in various facilities outside of City Hall and invite persons of those neighbourhoods to attend; and,
- (viii) That Citizen Members of City Committees, Local Boards and Commissions, who miss three consecutive meetings without Committee approval, be subject to replacement on that Committee, Local Board or Commission; and,
- (ix) That membership on all City Committees, Local Boards and Commissions be staggered with one third of its Citizen Members' terms of office expiring each year, unless the terms of office are established by provincial or federal legislation; and,
- (x) That a standard Application Form and Tracking Form, attached hereto and marked as Appendix "A", be adopted for use by citizens applying for membership on City Committees, Local Boards and Commissions; and,
- (xi) That the following process for applying, interviewing and selecting Citizen Members to serve on City Committees, Local Boards and Commissions be adopted:
 - (1) Applicants must attend a mandatory Orientation Session coordinated by the City Clerk's Department, the purpose of which will be to describe the work of the various City Committees, Local Boards and Commissions; and,
 - (2) The City Committees, Local Boards and Commissions will be required to:
 - (aa) Provide written material outlining the scope of their Committee, Local Board or Commission, the time commitment required and the qualifications necessary; and,

- (bb) Arrange for a representative (either a Committee, Local Board or Commission Member or Staff) to attend the Orientation Sessions to make a brief presentation on the Committee, Local Board or Commission and to answer any questions applicants may have; and,
- (3) Applicants will be offered a choice of at least three (3) dates for the mandatory Orientation Sessions; and,
- (4) All applicants will be required to attend one of the mandatory Orientation Sessions unless they are applying for renewal of their present appointment. Applicants who do not attend one of the mandatory Orientation Sessions will not be considered for appointment; and,
- (5) Application Forms and Tracking Forms can be obtained by applicants following their attendance at one of the mandatory Orientation Sessions, save incumbents, who, if applying for renewal of their present appointment, are not required to attend an Orientation Session, and can obtain an Application Form and Tracking Form from the City Clerk's Department; and,
- (6) Applicants can apply for membership on no more than two (2) City Committees, Local Boards and Commissions at any given time; and,
- (7) Completed Application Forms and Tracking Forms are to be returned to the City Clerk's Department by the application deadline date, as set out in the advertised Public Notice; and,
- (8) A Selection Committee will be struck by City Council, the mandate of which will be to:
 - (aa) Review Citizen Member applications to City Committees, Local Boards and Commissions; and,
 - (bb) Interview applicants; and,
 - (cc) Make recommendations for the appointment of Citizen Members to the various City Committees, Local Boards and Commissions to the Nominating Committee or to the Standing Committee of City Council to which the Committee, Local Board or Commission reports; and,

The Selection Committee shall consist of:

- (dd) A minimum of five (5) Members of City Council appointed annually by the Nominating Committee; and,
 - (ee) One representative of the Committee, Local Board or Commission to which the Citizen Member vacancy applies to serve as a non-voting resource person; and,
- (9) Selection Committee interviews will be conducted as follows:
- (aa) All applicants who attend a mandatory Orientation Session and submit a completed Application Form, as well as incumbents who have applied for renewal of their present appointment, will be interviewed by the Selection Committee; and,
 - (bb) All applicants will be notified in writing of their interview date and time by the City Clerk's Department; and,
 - (cc) The allotted time for each interview will be approximately ten (10) minutes; and,
 - (dd) An established set of interview questions will be developed by the various City Committees, Local Boards and Commissions with the assistance of the City Clerk's Department; and,
 - (ee) The City Clerk's Department will notify all applicants in writing once the appointments have been approved by the appropriate Standing Committee of City Council or the Nominating Committee; and,
- (xii) That an Equitable Representation Survey of the City Committees, Local Boards and Commissions be conducted by the Human Resources Centre every three years, the first Survey of which was carried out in 1992.
12. (a) That the City resolve Ontario Court (General Division) Action # C14217/94 by the payment to the Plaintiff, Jacqueline Andall, of the sum of \$23,040.95 inclusive of all claims for damages, interest and costs; and,
- (b) That the Plaintiff, Jacqueline Andall, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
- (c) That Ontario Court (General Division) Action # C14217/94 be dismissed without costs.

13.
 - (a) That the City resolve Ontario Court (General Division) Action # 814/95 by the payment to the Plaintiff, Deborah Wey, of the sum of \$65,000 inclusive of all claims for damages, interests and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action # 814/95 be dismissed without costs.
14.
 - (a) That the City contribute the amount of its deductible under its Automobile Insurance Policy, namely \$100,000, toward the resolution of Ontario Court (General Division) Action # 3968/86 wherein the Plaintiffs are John and Edna Hotrum; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action # 3968/86 be dismissed without costs.
15.
 - (a) That the City resolve Ontario Court (General Division) Action # 2269/93 by the payment to the Plaintiffs, Katka and Ondrej Sroka, of the sum of \$3,500 inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action # 2269/93 be dismissed without costs.
16.
 - (a) That the City contribute a lump sum of \$3,500 toward the resolution of Ontario Court (General Division) Action # 36684/92; and,
 - (b) That the insurer for the Defendants Uniflo Enviro-Tech Inc./Uniflow Sewer Services Inc., take over the City's defence in this law suit, subject to arrangements satisfactory to the City Solicitor, including, but not limited to, a capping of the City's liability; and,
 - (c) That upon settlement, or other resolution, of the Action, the Plaintiffs and/or the Defendants Uniflo Enviro-Tech Inc./Uniflow Sewer Services Inc., be required to provide closing documentation in a form satisfactory to the City Solicitor.

1998 February 10

17. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-10 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-11 A By-law to Provide for: The Rental of a City Vehicle to the City of Toronto.
- (c) D-12 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1998 February 3**

1998 February 10

Appendix "A" referred
to in Section 11 of the
FIFTH Report of
the Finance and
Administration
Committee for 1998



APPLICATION FORM
FOR CITIZEN APPOINTMENT TO
CITY COMMITTEES, LOCAL BOARDS AND COMMISSIONS

Please complete the attached Application Form and return to the Office of the City Clerk by the application deadline with a copy of your current resume of qualifications, work experience and any additional community involvement that may be relevant to the Citizen Member appointment to which you are applying for membership.

The City of Hamilton encourages all residents of the City of Hamilton to apply for membership on City Committees, Local Boards and Commissions.

Your co-operation is also requested in completing the attached Tracking Form. This information is for statistical purposes only and will assist the City in determining the successfulness of its existing outreach program as well as identifying any changes needed to promote fair appointment practices in the future.

Please note that the completion of the attached Tracking Form is **voluntary** and that the information obtained from this Form will be kept strictly **confidential**.

Applicants are requested to return the Tracking Form in the private and confidential envelope provided, at the same time the Application Form is returned to the Office of the City Clerk.

_____ Application Deadline

attached

1998 February 10

APPLICATION FORM

1. Application for appointment to:

1. _____

2. _____

(Please specify Committee, Local Board or Commission of interest - maximum of two.
Please note that if you are applying for membership on two Committees, Local Boards or Commissions, only one application form should be completed.)

2. Name: _____

3. Home Address: _____

4. Postal Code: _____

5. Telephone Number(s): Home: _____

Work: _____

6. Please state why you are interested in serving on this Committee/Board/Commission and what do you feel you can contribute? Please list related experience and/or interests.

7. How did you learn about this position: i. _____ Newspaper (please specify)

- ii. _____ Community Organization

- iii. _____ Brochure

- iv. _____ Radio/Television
(please specify which program)

- v. _____ Word of Mouth

- vi. _____ Other (please specify)

1998 February 10

8. Additional Information:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Signature

Date _____

APPLICANTS ARE ENCOURAGED TO SUBMIT A RESUME

Your resume should not refer to any prohibited grounds of discrimination, i.e. race ancestry, place of origin, citizenship, creed, sex, sexual orientation, age, colour, ethnic origin, record of offenses, marital status, family status or handicap.

PLEASE RETURN TO: City Clerk
Hamilton City Hall
71 Main Street West
Hamilton, Ontario
L8P 4Y5

TRACKING FORM

Information requested on this form is gathered under Section 14 of the Ontario Human Rights Code.

Committee(s)/Board(s)/Commission(s) you have applied for:

(Only **one** Tracking Form to be completed even though you may have applied for two Committees/Boards/Commissions.)

Do you wish to complete this form any further?

Yes _____ (please continue) No _____

PLEASE COMPLETE EACH SECTION:

1. Are you: **Female** _____ **Male** _____
2. Are you a Native person (North American Indian, Status or Non-Status, Metis, Inuit)?
 Yes _____ **No** _____
3. Please identify yourself as one of the following: (This refers to Race/Colour)

Black _____
(African, American
Canadian)

East Asian _____
(Korean, Japanese, Chinese)

South Asian _____
(Indian, Pakistani)

South East Asian _____
(Cambodian, Filipino, Vietnamese)

West Asian _____
(Arab, Armenian, Egyptian, etc.)

Central/South American _____

Caribbean _____
(Cuban, Jamaican, Trinidadian,
Haitian)

White _____ **Other** _____

4. **Disability**

For the purposes of employment equity, disability is defined as a long term physical, emotional/psychiatric or learning disability that may place a person at a disadvantage or that may interfere with work or personal activities.

Given this definition, do you consider yourself disabled?

No _____ Yes _____

Information requested on this form is gathered under Section 14 of the Ontario Human Rights Code and has been approved by the Ontario Human Rights Commission, September 1991.

N O M I N A T I N G C O M M I T T E E

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

The Nominating Committee presents its **THIRD** Report for 1998 and respectfully recommends:

1. That the following citizens be appointed to serve on the Canadian Football Hall of Fame and Museum Management Committee:

_____ (for a term to expire 1998 November 30)
_____ (for a term to expire 1999 November 30)
_____ (for a term to expire 2000 November 30)
_____ (for a term to expire 2000 November 30)

2. That the following citizens be appointed to serve on the City of Hamilton Licensing Committee for a term to expire 2000 November 30:

3. That the following citizens be appointed to serve on the Committee of Adjustment for a term to expire 2000 November 30:

4. That the following citizens be appointed to serve on the Hamilton Public Library Board for a term to expire 2000 November 30:

1998 February 10

5. That the following citizens be appointed to serve on the Municipal Non-Profit (Hamilton) Housing Corporation/Hamilton Housing Company Limited:

_____ (for a term to expire 1998 November 30)
_____ (for a term to expire 1999 November 30)
_____ (for a term to expire 2000 November 30)
_____ (for a term to expire 2000 November 30)

Respectfully Submitted,

**Mayor R. M. Morrow
Chairman
Nominating Committee**

J. J. Schatz, Secretary

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1998 FEBRUARY 10
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Cottage	Southbound	Orchard Hill
Iona	Eastbound and Westbound	Brodick/Yarmouth
Robespierre	Westbound	Republic."

3. That **Schedule 29 (No Stopping Areas)** of said By-law is hereby amended by adding thereto the following item, namely:-

"High	East	Fennell to 41 feet southerly	Anytime."
-------	------	------------------------------	-----------

4. That **Schedule 35 (Wheelchair Loading Zones)** of said By-law be amended by adding thereto the following item, namely:-

"Albany	South	21 feet	from 194 feet east of Robins	Anytime."
---------	-------	---------	------------------------------	-----------

and by deleting therefrom the following item, namely:-

"Norman	East	35 feet	107 feet north of Campbell	Anytime."
---------	------	---------	----------------------------	-----------

5. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

PASSED this day of 1998.

CITY CLERK

MAYOR

- | | | | | | |
|---------|-------|---|-----|-----------|-----------|
| "Murray | South | From 38 ft. east of James to a point 83 ft. east of James | 2hr | 8am - 6pm | Mon-Sat." |
|---------|-------|---|-----|-----------|-----------|

5. That **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Burton	South commencing 199 feet east of Douglas and extending 16 feet easterly therefrom	Anytime
---------	--	---------

Murray	South commencing 128 feet east of James and extending to 72 feet west of Hughson	Anytime."
--------	---	-----------

and by deleting therefrom the following items, namely:-

"Tragina	West	commencing at a point 25 feet north of Central to a point 29 feet northerly therefrom	Anytime
----------	------	--	---------

Murray	South	From 83 feet east of James to a point 72 feet west of Hughson	Anytime."
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6. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

PASSED this day of 1998.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Assume a One Metre portion of the unassumed Lane which extends between Beulah Avenue and Miles Court, said Lane laid out upon Registered Plan 605, and

To Close such assumed portion of Lane to vehicular traffic

WHEREAS Registered Plan 605 laid out and dedicated to The Corporation of the City of Hamilton a Lane extending between Beulah Avenue and Miles Court (formerly Beulah Court);

AND WHEREAS the said Lane has not been assumed by the City, and it is intended in this by-law to assume a portion of the Lane and to authorize the closure of such portion to vehicular traffic, in order that entry to and exit from such Lane though such defined portion of this Lane is permitted solely for pedestrians;

AND WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M. 45 in respect of any highway or part of a highway, to establish, lay out, widen, alter, divert, stop-up, lease or sell same or to require that a highway shall only be closed for vehicular traffic;

AND WHEREAS Notice of this by-law has been published as required by Section 301 of the said Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to, or in support of this by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to assume the portion of the unassumed Lane described in paragraph one below and to close the said assumed portion to vehicular traffic.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the portion of the East-West Lane on Registered Plan 605 described below, be hereby assumed.

The most Easterly one metre portion of the Lane on Registered Plan 605 adjacent to the Westerly limit of Miles Court, such portion of the Lane bounded by Lot 5 on its North limit and Lot 6 on its South limit.

2. That portion of the Lane described in paragraph one above be hereby only closed to vehicular traffic.

3. That this by-law take effect upon its registration on title to the said Lane.

4. That following registration of this by-law, the Commissioner of Public Works and Traffic or his duly authorized agent be hereby authorized to assume as public highway the said portion of the Lane and to enforce the closure of such portion to vehicular traffic by erecting thereon barricades, bollards and related works.

PASSED this

day of

A.D. 1997

CITY CLERK

MAYOR

(1997) 10 R.T.E.C. 44, September 30
File: 141-0/97.1

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED NORTH OF MUD STREET, EAST OF MOUNT ALBION ROAD
AND WEST OF THE MUNICIPAL BOUNDARY**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E79B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "A" (Conservation, Open Space, Park and Recreation) District to "B-2" (Suburban Residential) District, the land comprised in Block 1;
- (b) by changing from "A" (Conservation, Open Space, Park and Recreation) District to "C"- 'H' (Urban Protected Residential, etc. - Holding) District, the land comprised in Block 2; and,
- (c) by changing from "A" (Conservation, Open Space, Park and Recreation) District to "R-4"- 'H' (Small Lot Single Family Dwelling - Holding) District, the land comprised in Block 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the land comprised in Blocks 2 and 3 shall be removed conditional upon Mud Street being realigned to the east and Mud Street reverting to a local cul-de-sac roadway;

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands comprised in Blocks 2 and 3 may at such time proceed in accordance with the "C" District and "R-4" District provisions.

3. The "R-4" (Small Lot Single Family Detached) District provisions, as contained in Section 9A of Zoning By-law No. 6593, applicable to the land comprised in Block 3 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9A.2.(b)1.(ii)B. of Zoning By-law No. 6593, the corner lot shall have a westerly side yard of not less than 3.0 m; and,
- (b) notwithstanding Section 9A.2.(c) of Zoning By-law No. 6593, the corner lot shall have a minimum lot width of 13 m and all other lots shall have a minimum lot width of 10 m.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1394.

6. Sheet No. E79B of the District Maps is amended by marking the lands referred to in section 1.(c) of this by-law, S-1394.

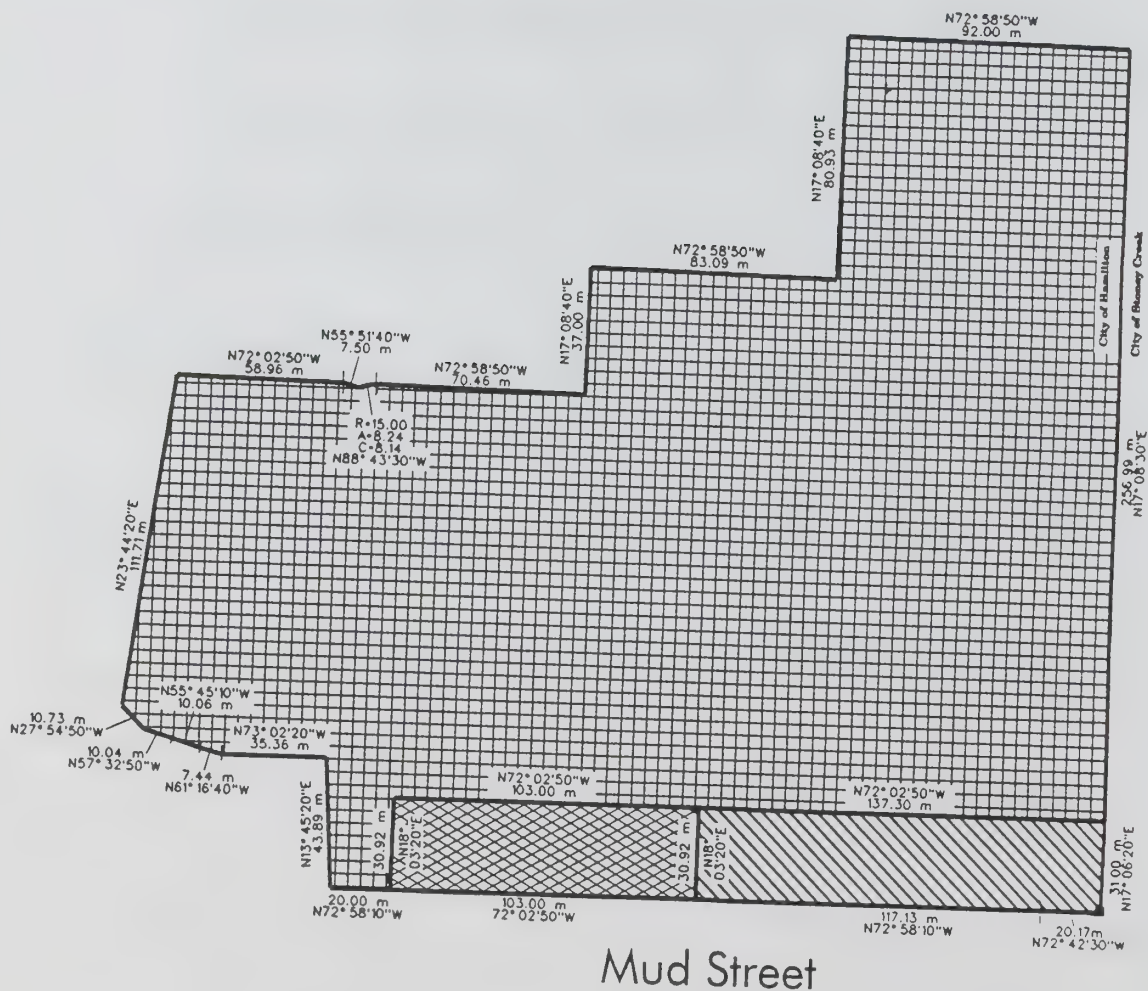
7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-.....
Passed the day of, 1998.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 98-.....

Planning and Development Department

Legend

Change in zoning from "A" (Conservation, Open Space, Parkland and Recreation) District to:



"B-2" (Suburban Residential) District

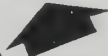


"C"- "H" (Urban Protected Residential, etc. -Holding) District



"R-4"- "H" (Small Lot Single Family Dwelling -Holding) District

North



Scale
Not to Scale

Date
February 1998

Reference File No.
CI-97-D

Drawn By
D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 21 BRANTDALE AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-7 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "R-4"- 'H' (Small Lot Single Family Detached - Holding) District, the land comprised in Block 1; and,
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "C"- 'H' (Urban Protected Residential, etc. - Holding) District, the land comprised in Blocks 2 and 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the land comprised in Blocks 1, 2 and 3 shall be removed conditional upon the owner submitting a signed Record of Site Condition (RSC) to the Region and the Ministry of Environment and Energy (MOEE), to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the MOEE;

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands comprised in Blocks 1, 2 and 3 may at such time proceed in accordance with the "R-4" District and "C" District provisions.

3. The "R-4" (Small Lot Single Family Detached) District provisions, as contained in Section 9A of Zoning By-law No. 6593, applicable to the land comprised in Block 1 are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 9A.(2)(c)1. of Zoning By-law No. 6593, a minimum average lot width of 9.0 m shall be permitted.

4. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the land comprised in Block 2 are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 9.(4) of Zoning By-law No. 6593, a minimum lot width of at least 11.43 m and a minimum lot area of 318.0 m² shall be permitted.

5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District and "C" District provisions, subject to the special requirements referred to in sections 3 and 4.

6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1393.

7. Sheet No. W-7 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1393.

8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

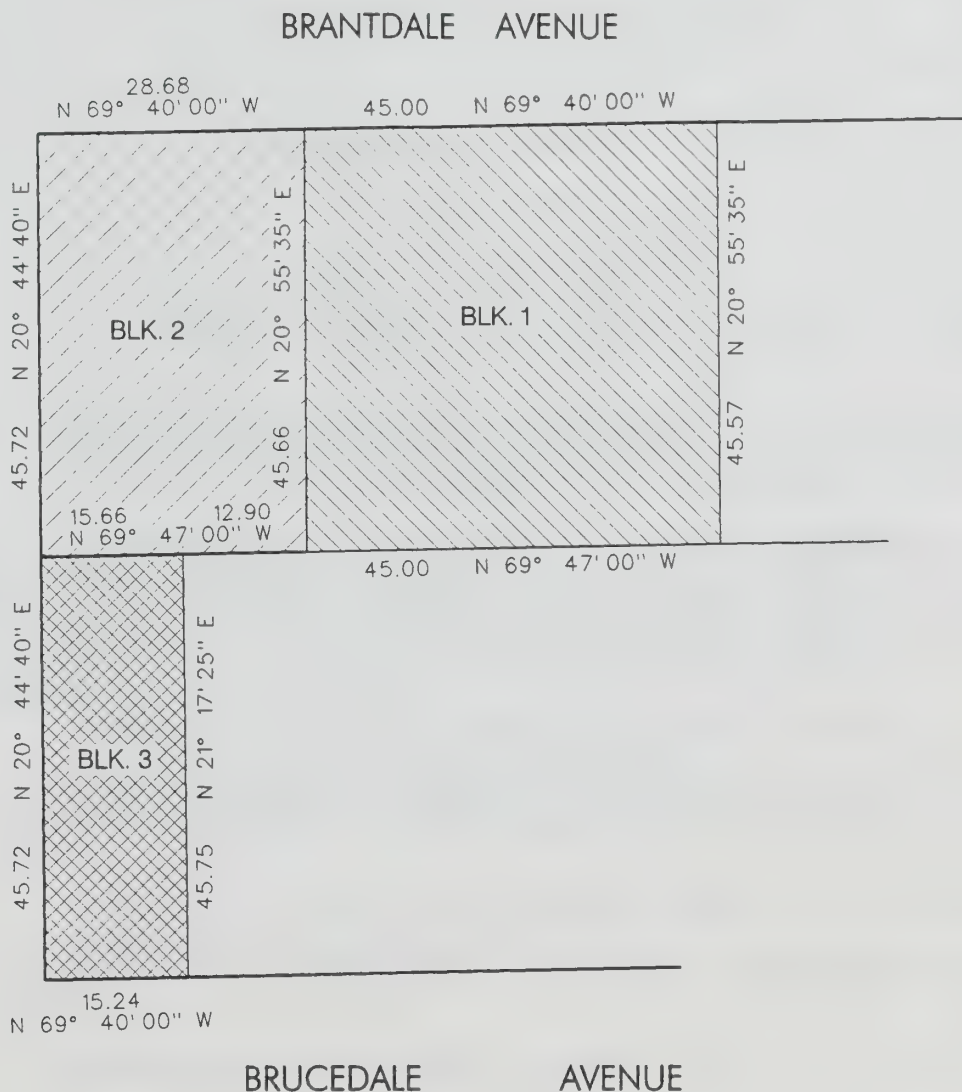
A.D. 1998

CITY CLERK

MAYOR

(1998) 2 R.P.D.C. 3, January 27
 (1998) 3 R.P.D.C. , February 10
 1186559 Ontario Inc., (Hai Chan Wah), Owner
 Amended ZAC-97-30

WEST 2ND STREET



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-.....
Passed the day of, 1998.

.....
Clerk

.....
Mayor

City of Hamilton




Schedule A

Map Forming Part of
By-Law No. 98-.....
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

- BLK. 1  "C" (Urban Protected Residential, etc.) District to "R-4"-H' Small Lot Single Family Detached - Holding) District, Modified.
- BLK. 2  "C" (Urban Protected Residential, etc.) District to "C"-H' (Urban Protected Residential, etc. - Holding) District, Modified.
- BLK. 3  "C" (Urban Protected Residential, etc.) District to "C"-H' (Urban Protected Residential, etc. - Holding) District.

North



Scale
Not to Scale

Date
Feb. 1998

Reference File No.
ZAC-97-30

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Repeal:

Zoning By-law No. 98-27

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 780 UPPER PARADISE ROAD

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July, 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 98-27 on the 11th day of December, 1997, to establish special requirements under Section 10A of Zoning By-law No. 6593, for the "DE" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 98-041 on the 27th day of January, 1998, to establish special requirements under Section 10A of Zoning By-law No. 6593, for the "DE" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS it is expedient to repeal By-law No. 98-27 as it is redundant.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 98-27, passed on the 11th day of December, 1997, is hereby repealed in its entirety.

PASSED this day of

A.D. 1998.

CITY CLERK

MAYOR

(1997) 14 R.P.D.C. 4, September 30
A.R.P. Construction Ltd., Owner
ZAC-97-12

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

By-law No. 86-73

As Amended by By-laws No. 92-058 and 98-043

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT
OF THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-73, passed on the 11th day of February 1986, continued the Board of Management established by By-law No. 83-71, passed on the 22nd day of February 1983, of the Improvement Area designated by By-law No. 82-151, passed on the 29th day of June 1982, known as the "Downtown Hamilton Business Improvement Area", more particularly described in By-law No. 82-151, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-058, passed on the 11th day of February 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-73;

AND WHEREAS By-law No. 98-043, passed on the 27th day of January 1998, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 98-043;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 13 of the 2nd Report of the Planning and Development Committee at its meeting held on the 27th day of January 1998, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2.(a) of By-law No. 86-73, as amended, is repealed and the following substituted therefor:

Alderman A. Horwath
Alderman R. Corsini

2. Schedule "B" referred to in clause 2.(b) of By-law No. 86-73, as amended, is repealed and the following substituted therefor:

K. Findlay	K.D. Findlay Clothier
A. Peckham	Royal Bank
A. Herpers	Herpers Gowling
R. Harris	Harris and Henderson
J. Livingston	Livingston Furs
R. Titian	Reggie's Music and Sound
K. Wiegand	Right House
R. Sorenson	Sundried Tomatoes
M. McNally	Jeset Investments
G. Attard	Ramada Hotel
R. Letourneau	Just Imagine Printing
D. Broucker	Royal Connaught Hotel
R. Ianuzzi	Canadian Imperial Bank of Commerce
N. Godwin	Nancy Godwin, Barrister & Solicitor
D. Blanchard	Hughson Business Space Corporation
D. Lugowy	Dennis Lugowy, Chartered Accountant

3. By-law No. 98-043 is hereby repealed in its entirety.

4. In all other respects, By-law No. 86-73, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT THE REAR OF MUNICIPAL NOS.
1451-1471 UPPER JAMES STREET AND SOUTH EAST OF DICENZO DRIVE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, the land comprised in Blocks "1" and "3" ;
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District, the land comprised in Block "2" ;
- (c) by changing from "RT-30" (Street-Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, the land comprised in Block "4" ;

the extent and boundaries of each of which Blocks 1, 2, 3 and 4 are shown on a plan hereto annexed as Schedule "A".

2. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks "1", "3" and "4" are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 10.(4)(ii) of Zoning By-law No. 6593, a two family dwelling shall provide and maintain a lot width of at least 16.0 m and an area of at least 515.0 m².

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1395.

5. Sheet No. E-9D of the District Maps is amended by marking the lands referred to in section 1. (a) and (c) of this by-law, S-1395.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1998

CITY CLERK

MAYOR

(1998) 3 R.P.D.C. ___, February 10
 900074 Ontario Inc. Setay Investment c/o Mr. Gordon Albini, Owner
 Amended ZAC-97-24

UPPER JAMES STREET

379.70 N 18° 22' 50" E

NORTH WEST CORNER OF
LOT 14 CON. 8

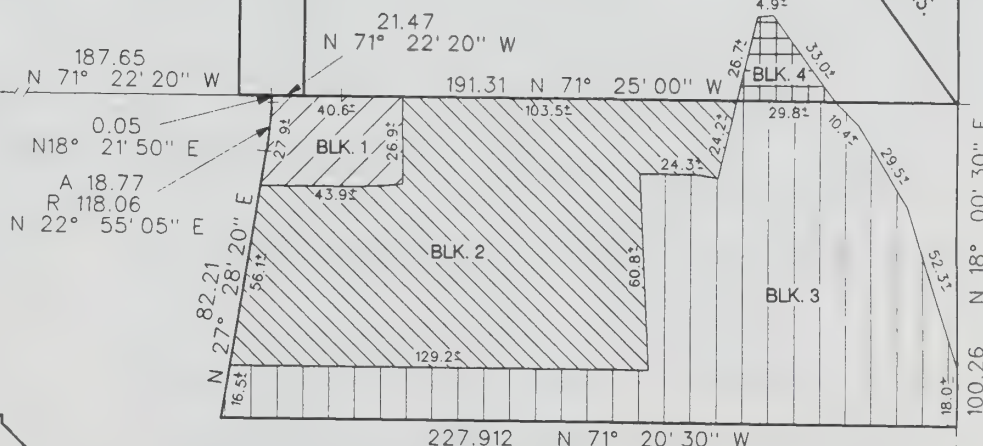
LOT 14
CON. 8

STONE CHURCH ROAD EAST

DICENZO DRIVE

AQUASANTA CRES.

DIVISION LINE BETWEEN
LOT 14 AND LOT 13



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-.....
Passed the day of, 1998.

.....
Clerk

.....
Mayor

City of Hamilton





Schedule A

Map Forming Part of
By-Law No. 98-.....
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

- BLK. 1  "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.
- BLK. 2  "C" (Urban Protected Residential, etc.) District to "RT-30" (Street - Townhouse) District.
- BLK. 3  "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.
- BLK. 4  "RT-30" (Street - Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.

North



Scale
Not to Scale

Date
Feb. 1998

Reference File No.
ZAC-97-24

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT THE REAR OF 1451-1471 UPPER JAMES STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to .

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

170. Land located at the rear of 1451-1471 Upper James Street (Block "21" and Lot "2" of Darft Plan of Subdivision for "James Mount Gardens"), shown on Appendix 170 hereto annexed and forming part of this by-law.

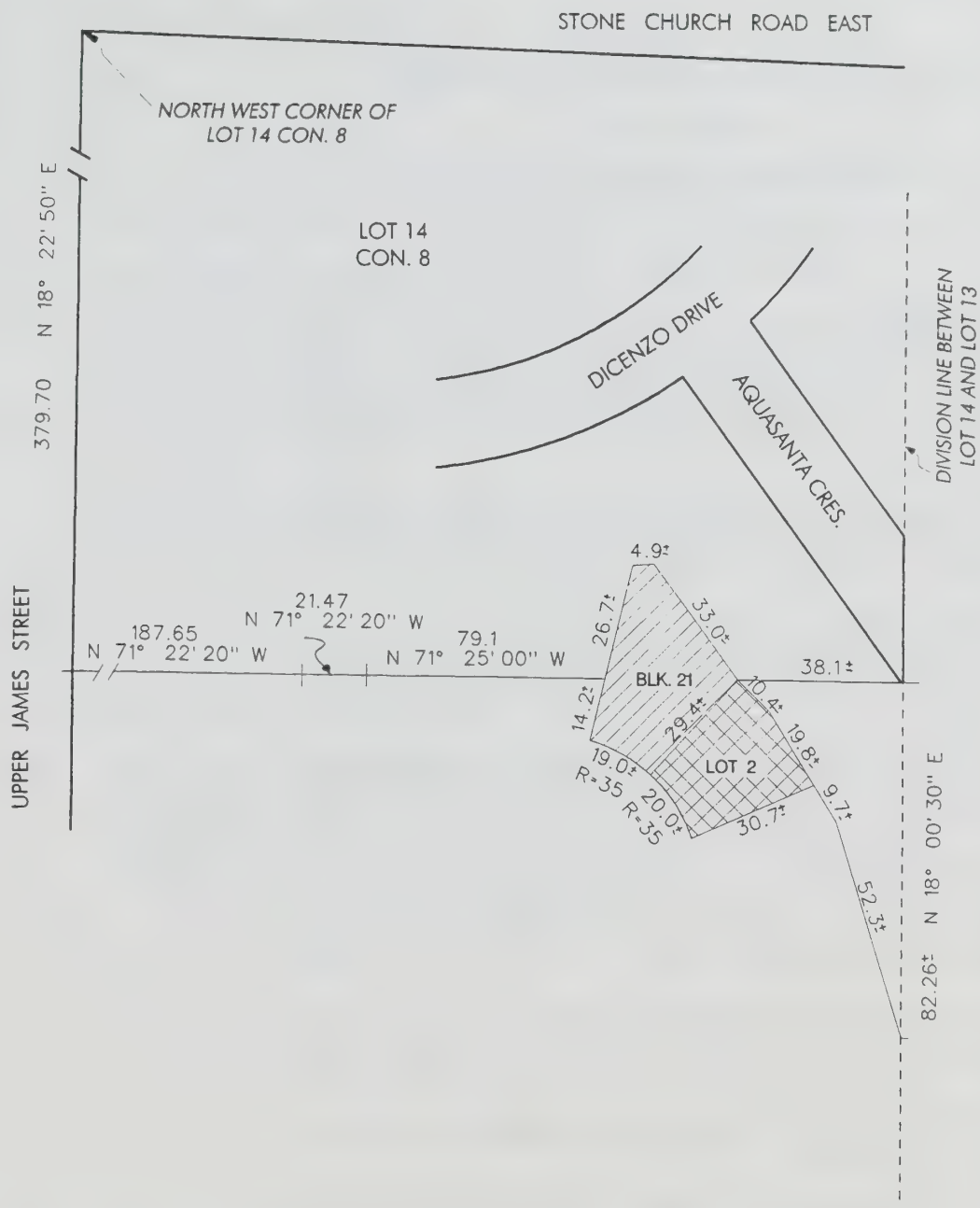
2. Appendix 170 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-.....
Passed the day of, 1998.

.....
Clerk

.....
Mayor

City of Hamilton

APPENDIX 170 to By-Law No. 79-275 as Amend By-Law No. 87-223

Planning and Development Department

Legend

James Mount Gardens Plan of Subdivision
(25T-91007(R))

BLK. 21



Lands designated under this By-Law
as an area of Site Plan Control pursuant
to section 41 of the Planning Act,
R.S.O., 1990.

LOT 2



North



Scale
Not to Scale

Date
Feb. 1998

Reference File No.
ZAC-97-24

Drawn By
R.L.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.98-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.
- (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this

day of

1998, A.D.,

CITY CLERK

MAYOR

SCHEDULE "A"

EXTENSION AGREEMENTS

- | | | |
|----|---------------------------|-------------------------------------|
| 1) | PROPERTY ADDRESS | 236 GRENFELL ST. |
| | SERIAL NUMBER | 04 03210 3180 |
| | BRIEF LEGAL DESCRIPTION | PLAN 505 PART LOT 367 & 369 LOT 368 |
| | DATE OF REGISTRATION | NOVEMBER 12, 1997 |
| | TAX ARREARS CERTIFICATE # | LT478371 |
| | REDEMPTION DATE | NOVEMBER 12, 1998 |
| | TOTAL ARREARS | \$7,270.19 |
| 2) | PROPERTY ADDRESS | 491 CANNON E |
| | SERIAL NUMBER | 03 02365 4000 |
| | BRIEF LEGAL DESCRIPTION | PLAN 158 PART LOT 30 |
| | DATE OF REGISTRATION | AUGUST 18, 1997 |
| | TAX ARREARS CERTIFICATE # | LT465888 |
| | REDEMPTION DATE | AUGUST 18, 1998 |
| | TOTAL ARREARS | \$12,399.63 |
| 3) | PROPERTY ADDRESS | 44 NICKLAUS DR |
| | SERIAL NUMBER | 05 05335 5570 |
| | BRIEF LEGAL DESCRIPTION | WENT CONDO PLAN 21 UNIT 57 |
| | DATE OF REGISTRATION | NOVEMBER 12, 1997 |
| | TAX ARREARS CERTIFICATE # | LT478374 |
| | REDEMPTION DATE | NOVEMBER 12, 1998 |
| | TOTAL ARREARS | \$4,432.12 |

BY-LAW NO. 98 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 10th DAY OF FEBRUARY, 1998.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 10th day of February 1998

CITY CLERK

MAYOR

CAY ON HBL AOS
A31
1998



1998 February 20

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1998 February 24
7:30 o'clock p.m.
Council Chambers, City Hall**

URBAN MUNICIPAL

FEB 23 1998

GOVERNMENT DOCUMENTS

**J. J. Schatz
City Clerk**

A G E N D A

1. **National Anthem** - Sung by Central City Children's Choir
2. **Opening Prayer:** Father Marijan Mihokovic
Holy Cross Church (Croatian)
1883 King Street East
3. **Presentations:**
 - (a) William McCulloch to be recognized
 - (b) Certificate of Recognition Dino Nicosia, President
Empex Management Group
4. **Nominating Committee** - To appoint a Chairman of the Committee of the Whole for the next three months.
5. **Adoption of the minutes of the meeting held 1998 February 10**
6. **Correspondence**

7. *Reports of the Standing Committees:*

- (a) *Transport and Environment Committee*
- (b) *Parks and Recreation Committee*
- (c) *Planning and Development Committee*
- (d) *Finance and Administration Committee*
- (e) *Nominating Committee*

8. *Notices of Motion for next meeting.*

9. *Question Period.*

10. *Adjournment.*

MINUTES

Minutes of Hamilton City Council
Tuesday, 1998 February 10
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps,
Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico,
O'Sullivan.

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Pastor Ivars Gaide, Christ Lutheran Church led Council in prayer.

<p>PRESENTATIONS</p>

Mayor R. M. Morrow presented Certificates of Recognition to the following people, organizations and/or companys who contributed to the ice storm relief effort in Eastern Ontario and Quebec:

Roy Green and CHML
The Hamilton Spectator
Len Van Geest
E. D. Smith & Sons Ltd.
Harold Marcus Limited
St. John Ambulance
The Salvation Army
Braun Nurseries

Hamilton Hydro-Electric System
705 Communications Squadron
11 Field Artillery Regiment (11 Battery)

Fluke Transport
Chris Ecklund
Proctor & Gamble Inc.
Cormar Contracting
Philip Services Corp.
Red Cross Society

Armed Forces - Hamilton
Connon Nurseries -AVK
Maple Leaf Tree Farm
23 (Hamilton) Service Battalion

Ontv
Keith and Sunny Francis
CAA South Central Ontario
Crescent Oil of Canada Ltd.
Echo Springs Water Co.
H.E.C.F.I.

Units Connon Nurseries -CVK
V Kraus Nurseries

Team 1-Environmental Services
Connon Nurseries -NVK

Canadian Centre for Emergency Preparedness
Royal Hamilton Light Infantry (Wentworth Branch)
Argyll & Sutherland Highlanders of Canada (Princess Louise's)
Employees of the City of Hamilton Purchasing Department; Public Works and Traffic; Planning
and Development Department, and the Hamilton Fire Department, Mayor's Office, City of
Hamilton

* * * * *

Mayor R. M. Morrow presented a Certificate of Recognition to Mr. Guido Ricca in recognition of being awarded the title of "Cavaliere" by the President of the Republic of Italy.

ADOPTION OF MINUTES

The minutes of the meeting held 1998 January 27 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1998 January 26 from the Hamilton Harbour Commissioners respecting a Memorandum of Agreement.

Referred to the Finance and Administration Committee

2. Memorandum dated 1998 February 5 from J. J. Schatz, City Clerk Re: 1997 Municipal Election Financial Reporting Requirements.

Received.

3. Application dated 1998 February 2 from 1215443 Ontario Inc., Michael Bobiash, 133 Park Street West, Dundas, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District for 243 Fennell Avenue East, Hamilton, Ontario.

Received.

4. Letter dated 1998 January 28 from the Honourable David M. Collenette, P.C., M.P., Minister of Transport respecting Bill C-9.

Received.

5. Letter dated 1998 February 6 from R. Scott Smith, Secretary to the Board of Commissioners, Hamilton Harbour Commissioners respecting their Five Year Capital Budget and Projected Cash Flow.

Referred to the Finance and Administration Committee

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be considered in Committee of the Whole with Alderman Eisenberger in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - THIRD REPORT

Section 21 Re: Declaration of Interest - Alderman Wilson

Alderman Wilson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Wilson is an employee of a subsidiary Company of Bell Canada.

* * * * *

Section 21 Re: International Media Advertising Inc. and Bell Canada - Advertising Panels

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Copps. -1.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - THIRD REPORT

Section 3 Re: Wesley Urban Ministries - 195 Ferguson Avenue (Drop in Centre)

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps. -1.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - FIFTH REPORT

Section 11.(b) (ix) Re: Staggering of terms of office for Citizen Members on City Committees, Local Boards and Commissions.

It was moved by Alderman Collins and seconded by Alderman Charters that Section 11(b)(ix) of the FIFTH Report of the Finance and Administration Committee for 1998 respecting the staggering of terms of office for Citizen Members on City Committees, Local Boards and Commissions, be deleted and replaced with the following:

- (b) (ix) That membership on all City Committees, Local Boards and Commissions, with the exception of the Municipal Non-Profit (Hamilton) Housing Corporation/Hamilton Housing Company Limited, and those whose terms of office are established by provincial or federal legislation, be staggered with one third of its Citizen Members' terms of office expiring each year.

CARRIED.

* * * * *

Section 17 (d) Re: Bill D-13: A By-law to Expropriate Land for Highway and Municipal Purposes for the completion of Elmore Drive

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a Bill respecting Expropriation for Lands to complete the extension of Elmore Drive. **CARRIED.**

* * * * *

Section 17 (d) Re: Bill D-13: A By-law to Expropriate Land for Highway and Municipal Purposes.

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the attached Bill D-13 be added to Section 17 of the FIFTH Report of the Finance and Administration for 1998 as follows:

"(d) D-13 A By-law to Expropriate Land for Highway and Municipal Purposes to complete the extension of Elmore Drive."

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, O'Sullivan. -16.

NAYS: Alderman Kelly. -1.

CARRIED.

* * * * *

Section 17 (e) Re: Bill D-14: A By-law to Authorize the Roadway Reconstruction Debenture Program

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a Bill respecting the Roadway Reconstruction Debenture Program. **CARRIED.**

* * * * *

Section 17 (e) Re: Bill D-14: A By-law to Authorize the Roadway Reconstruction Debenture Program.

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the attached Bill D-14 be added to Section 17 of the FIFTH Report of the Finance and Administration for 1998 as follows:

"(e) D-14 A By-law to Authorize the Roadway Reconstruction Debenture Program."
CARRIED.

NOMINATING COMMITTEE - THIRD REPORT

COMMITTEE OF THE WHOLE - FOURTH REPORT

**Section 1 Re: Opening of Retail Outlets selling beverage alcohol on Sundays.
 Declaration of Interest - Alderman Haining**

Alderman Haining declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Haining is an employee of the Brewers Retail.

* * * * *

Section 3 Re: Provincial Downloading of the Large Urban Mayor's Caucus of Ontario

It was moved by Alderman Wilson and seconded by Alderman Copps that Section 3 of the Fourth Report of the Committee of the Whole for 1998 be amended to read:

"That the City of Hamilton endorse the resolutions regarding Provincial Downloading of the Large Urban Mayor's Caucus of Ontario of February 5, 1998, of the Special Meeting of the Association of Municipalities of Ontario of February 6, 1998, and the proposal from representatives of the City of Toronto requesting Provincial funding for the phase-in towards province-wide commercial, industrial and education tax rates."

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:50 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1998 February 10
JJS/dg

C O R R E S P O N D E N C E

Correspondence:

1. Application dated 1997 January 26 from Imperial Oil, c/o P.O. Box 50, First Canadian Place, Toronto, Ontario for a further modification to the "H" (Community Shopping and Commercial, etc.) District for 649 Upper James Street, Hamilton, Ontario.

Recommendation: Be Received.

2. Application dated 1998 February 6 from Chedoke Hospital Corporation, c/o Thomas E. Lazier, Lazier, Hickey, Langs & O'Neal, 25 Main Street West, Hamilton, Ontario for removal of the "H" Holding Provision - 60 Rice Avenue, Hamilton, Ontario.

Recommendation: Be Received.

3. Application dated 1998 February 9 from 1210800 Ontario Limited, Darko Vranich, 636 Main Street East, Hamilton, Ontario for a further modification to the "E" (Multiple Dwellings Lodges, Clubs, etc.) District for 400 York Blvd. and for a change in zoning from "H" (Community Shopping and Commercial, etc.) District modified to "G-3" (Public Parking Lots) District for 16 Magill Street, Hamilton, Ontario.

Recommendation: Be Received.

4. Application dated 1998 February 10 from 1023942 Ontario Inc., o/a Country Depot, 10 Dartnall Road, Hamilton, Ontario L8W 3N1 for a modification to the "M-13" (Prestige Industrial) District for property at 10 Dartnall Road, Hamilton, Ontario.

Recommendation: Be Received.

5. Application dated 1998 February 16 from Ontario Pride Construction Ltd., 133 Park Street West, Dundas, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family, etc.) District to "DE" (Low Density Multiple Dwellings) District to permit the conversion of the existing building to 11 condominium apartment units (Block 1) and for a modification to the established "D" (Urban Protected Residential - One and Two Family, etc.) District to recognize the existing semi-detached dwellings (Block 2) for 30-36 Margaret Street, Hamilton, Ontario.

Recommendation: Be Received.

REPORTS

**TRANSPORT & ENVIRONMENT
COMMITTEE**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FOURTH** Report for 1998 and respectfully recommends:

1. That CleanSoils Ltd. be requested to provide the City of Hamilton with details of the Hamilton Harbour Commissioners lease to CleanSoils Ltd., for the site they occupy on Eastport Drive.
2. That the "No Parking" signs on the east side of Avondale Street between Barton Street East and Mons Avenue be retained, and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That the existing full-time "No Parking" regulation on the south side of Everton Place commencing at Irving Place and extending to a point 149 feet west of Upper Ottawa Street be replaced with a "No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation, and that the City Traffic By-law No. 89-72 be amended accordingly.
4. That the existing full-time "Three Hour Parking Time Limit" regulation on the east side of Ravenscliffe Avenue commencing at a point 122 feet south of Aberdeen Avenue and extending to a point 330 feet southerly therefrom, be extended 38 feet southerly, and that the City Traffic By-law No. 89-72 be amended accordingly.
5. That the existing "Permit Parking" regulation on the west side of Stapleton Avenue commencing at a point 267 feet south of Grenfell Street and extending to a point 17 feet southerly therefrom, and on the east side of Stapleton Avenue commencing at a point 191 feet south of Grenfell Street and extending to a point 19 feet southerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

6.
 - (a) That the existing "No Parking" regulation on the north side of Brucedale Avenue West commencing at a point 29 feet west of Upper James Street and extending to a point 45 feet westerly therefrom be replaced with a "30 Minute Parking Time Limit, 9:00 a.m. to 6:00 p.m., seven days a week" regulation; and,
 - (b) That the existing one-hour parking meter on the north side of Brucedale Avenue West commencing at a point 74 feet west of Upper James Street and extending to a point 18 feet westerly therefrom be replaced with a "No Parking" regulation; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
7. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Angela Avenue between West 32nd Street and West 33rd Street, and that the City Traffic By-law No. 89-72 be amended accordingly.
8. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of West 32nd Street between Angela Avenue and Scenic Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.
9. That a "Wheelchair Loading Zone, 7:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Garfield Avenue South commencing at a point 103 feet south of Vineland Avenue and extending to a point 24 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
10.
 - (a) That a "Permit Parking" regulation be implemented on the north side of Picton Street West commencing at a point 138 feet west of James Street North and extending to a point 21 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Venita Mary Finch, No. 14 Picton Street West.
11. That northbound traffic on Cyprus Drive be required to stop for eastbound and westbound traffic on Sirente Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.

12. That all-way stop control be implemented at the intersection of Stanley Avenue and Kent Street, and that the City Traffic By-law No. 89-72 be amended accordingly.
13. That the "No Right Turn on Red, Saturday and Sunday" regulation controlling northbound traffic on Mall Road at Mohawk Road East be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
14. That a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of Eastwood Street commencing at a point 52 feet south of Melvin Avenue and extending 25 feet southerly, and the City Traffic By-law No. 89-72 be amended accordingly.
15.
 - (a) That the existing "Permit Parking" regulation on the east side of Tisdale Street South commencing at a point 176 feet north of the east/west leg of Tisdale Street South and extending to a point 21 feet northerly therefrom be replaced with a "Wheelchair Loading Zone, 9:00 a.m. to 7:00 p.m., seven days a week" regulation; and,
 - (b) That the existing "Permit Parking" regulation on the west side of Tisdale Street South commencing at a point 186 feet north of the east/west leg of Tisdale Street South and extending to a point 14 feet northerly therefrom be removed; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
16. That a "Wheelchair Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of Erindale Avenue commencing at a point 110 feet north of Dundonald Avenue and extending 30 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
17. That Lockwood Motors Limited, be appointed to provide vehicle towing and storage services for the City, in accordance with specifications issued by the Purchasing Division and the Vendor Quote (REF: C16-5597).

18. For the information of City Council, the Transport and Environment Committee have made the following appointments to the Keep Hamilton Clean Committee for a term to expire 2000 December 31:

Rick Butson

Maria Demydchuk

Douglas Monk

Nadine Morrison

19. That the Terms of Reference for the Environmental Assessment Staff Advisory Committee (EASAC), attached hereto as Appendix "A", be endorsed.
20. (a) That the West Central Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to the proposed amendment to Certificate of Approval No. A130213, provided the following are satisfied:
- (i) all environmental safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of the Environment; and,
 - (ii) compliance with a "Notice of Violation" issued by the Hamilton Fire Department dated 1997 December 1, regarding all fuel-fired industrial trucks to be equipped with a 5BC or higher rated portable extinguisher; and,
- (b) That a copy of this report be forwarded to the Ministry of the Environment, West Central Branch for their consideration; and,
- (c) That a copy of this report be forwarded to the Commissioner of the Regional Environment Department for information; and,
- (d) That the Ministry of the Environment, West Central Branch be requested to forward a copy of the final Certificate of Approval to the City of Hamilton.

21. (a) That the West Central Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton objects to the arbitrary actions undertaken by the Ministry by issuing an Amendment to Certificate of Approval No. A100145 without the receipt of formal comments from the City of Hamilton; and,
- (b) That the Ministry of the Environment, West Central Branch be requested to rescind Certificate of Approval No. A100145 until the following conditions are satisfied to ensure compliance with City of Hamilton concerns:
- (i) six (6) required loading spaces at 3.0m x 7.5m x 4.3m (high) be provided for at No. 800 Parkdale Avenue North recognizing the prevailing industrial use; and,
 - (ii) compliance with a "Notice of Violation" issued by the Hamilton Fire Department dated 1997 November 27, regarding extension of a hydrant system into the salvage portion of the property; and,
 - (iii) compliance with Part 4 of the National Fire Code pertaining to the storage, handling, use and processing of flammable and combustible liquids, as noted in correspondence from the Hamilton Fire Department dated 1997 October 24; and,
 - (iv) a copy of the "Emergency Response Plan" is forwarded to the Hamilton Fire Department; and,
 - (v) an examination by the Ministry of the Environment of the possible negative environmental impacts with respect to a fire at this site resulting from chemical contaminants being washed into local water sources and/or down into the water table from fire fighting water; and
 - (vi) that the proponent be advised that the long-term land use planning intent of the City of Hamilton for lands immediately adjacent to the subject property will be for "Open Space" spaces; and,
- (c) That a copy of this report be forwarded to the Ministry of the Environment, West Central Branch for their immediate action; and,
- (d) That a copy of this report be forwarded to the Commissioner of the Regional Environment Department for information; and,
- (e) That the Ministry of the Environment, West Central Region be requested to forward a copy of the rescinded Certificate of Approval to the City of Hamilton.

22. (a) That the West Central Branch of the Ontario Ministry of the Environment be advised that the City of Hamilton has no objection to the proposed amendment to Provisional Certificate of Approval No. A650025, provided the following are satisfied:
- (i) all environmental safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of the Environment; and,
 - (ii) the proponent secures the necessary approval from the Air Approvals Branch of the Ministry of the Environment in regard to the upgrading of the existing emission control equipment to a 99% level of efficiency and physically installs the upgraded equipment; and,
 - (ii) a fire route and appropriate signage is provided as per correspondence dated 1997 November 18 from the Hamilton Fire Department to Thermo Tech Technologies Inc.; and,
- (b) That a copy of this report be forwarded to the Ministry of the Environment, West Central Branch for their consideration; and,
- (c) That a copy of this report be forwarded to the Commissioner of the Regional Environment Department for information; and,
- (d) That the Ministry of the Environment, West Central Region be requested to forward a copy of the final Provisional Certificate of Approval to the City of Hamilton.
23. (a) That the following changes be made in the maximum charges per metre of frontage for Local Improvement construction:

		Maximum Charge per Metre of Frontage	
Item		Existing 1997	Pro- posed 1998
(i)	Curb Only	\$ 63.00	\$ 73.00

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- | | | | |
|-------|--|----------|----------|
| (ii) | Sidewalks Only | \$ 98.00 | \$103.00 |
| (iii) | Sidewalks and Independent Curbs
or Combined Sidewalks and Curbs | \$135.00 | \$149.00 |
| (iv) | Roadway Only | \$245.00 | \$255.00 |
| (v) | Alleys | \$111.00 | \$107.00 |
| (vi) | Roadway and Curbs only
(Industrial Subdivisions) | \$329.00 | \$336.00 |
- (b) That the Commissioner of Public Works and Traffic be authorized and directed to amend the Local Improvement By-law.
24. (a) That the Commissioner of Transportation be authorized and directed to construct a 1.5m wide asphalt path on the south side of Lawrence Road between Erin Avenue and Martin Road once all the necessary approvals are received; and,
- (b) That the cost of the path estimated at \$43,000 be charged to Account No. CF5200 80945 3010 - Canada Ontario Infrastructure Works Program.
25. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- | | | |
|-----|------|--|
| (a) | A-19 | A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic |
| (b) | A-20 | A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic |

Respectfully Submitted,

**ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson
Secretary**

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Appendix "A" as referred
to in Section 19 of the Fourth
Report of the Transport
and Environment
Committee for 1998

The Environmental Assessment Staff Advisory Committee

Terms of Reference

Origin:

On October 14, 1997, City Council directed "that the Chief Administrative Officer be directed to establish an Environmental Assessment Staff Advisory Committee (EASAC) with representation from the Fire Department, Planning Department, Public Works and Traffic Department, Building Department, Police Department, Law Department and Regional Environment Department, to meet on a regular basis with a mandate of undertaking a multi-disciplinary review of Environmental matters and to report through the Director of Planning and Development to the Transport and Environment Committee."

Role of EASAC:

The two key roles of EASAC are as follows:

- Reviewing staff recommendation reports on proposed Ministry of Environment Certificate of Approval's prior to submission to the Transport and Environment Committee; and,
- Reviewing environmental policy initiatives and recommendations originating from other agencies or other levels of government for consideration by the City of Hamilton.

Composition:

The Advisory Committee will be composed of the Department Heads or their designates from the above-noted municipal departments. The Chairman of the Committee will be the Director of Planning and Development. Where appropriate, other individuals will be invited to attend to discuss matters and provide additional information. This may include, for example, representatives from the Ontario Ministry of Environment.

Meetings will be held at the call of the Chairman on an "as needed" basis.

Short-Term Work Program of the Advisory Committee:

A number of environmental matters require the attention of the Committee and follow-up action to the Transport and Environment Committee. This specific matters include the following:

- Liaise with the Pollution Control Sub-Committee which was re-established by City Council on October 14, 1997. Although the scope and mandate of this Committee has yet to be finalized, it is likely EASAC will function as staff support.
- Formalize the process by which the City of Hamilton and the Region of Hamilton-Wentworth will review, comment and engage the public on Ministry of Environment Certificate of Approvals. This is in response to recently-announced Provincial changes in the processing and administration of Certificate of Approvals and direction by City Council.
- Pursue and actively follow-up on the October 14, 1997 City Council approved recommendations contained within the City of Hamilton Project Team Plastimet Fire Report dated October 10, 1997 with appropriate Provincial authorities.
- Respond to the Ontario Fire Marshal's report prepared in the wake of the Plastimet fire and ensure the recommendations made by the report are quickly acted upon by the appropriate Provincial authorities.
- Consider the initiative recently undertaken by the Region of Hamilton-Wentworth on October 21, 1997 to process Certificate of Approval applications that are requesting only an amendment to an existing Certificate of Approval, subject to recommendations regarding waste service facilities contained in the Ontario Fire Marshal's report being implemented.
- Review the report "Hamilton-Wentworth Air Quality Initiative" dated November, 1997 and comment on the directions and recommendations that are made.

Report Updates to City's Transport & Environment Committee:

As new and current environmental initiatives are considered by the Advisory Committee, formal recommendation reports will be submitted to the Transport & Environment Committee where necessary. These reports will document the intent and scope of the initiative and provide recommendations for the City to pursue. As such, this will ensure elected representatives are fully apprised in a timely manner of all environmental matters and the respective staff comment, concerns and response to these matters.

Staffing:

Staff of the Planning and Development Department will be responsible for the overall co-ordination of the Advisory Committee. It is anticipated that any work tasks flowing from the work program of the Advisory Committee will be delegated to the appropriate municipal department(s).

**PARKS & RECREATION
COMMITTEE**

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **THIRD** Report for 1998 and respectfully recommends:

1. That the Director of Culture and Recreation be authorized to waive greens fees for the Canadian Cancer Society's "Longest Day of Golf" being played on/(or about) 1998 June 18 at King's Forest and Chedoke Golf Courses.
2. That the Director of Culture and Recreation be authorized to waive greens fees in order to host the Ontario Golf Association 1998 Amateur Qualifying Event scheduled during the second week of June 1998, at Chedoke - Beddoe Golf Course.
3. That approval as required by Parks By-law No. 95-126, Section 11 to sell alcoholic beverages in a park be given to the Hamilton YWCA - MacNab Street to use Whitehern Museum grounds, to host a fundraising auction - "My Secret Garden", 1998 June 2 from 6:30 o'clock p.m. to 10:00 o'clock p.m. subject to the Standard Terms and Conditions of the Special Events Guidelines.
4.
 - (a) That the Keith Park Community Mural Project be approved for implementation by the neighbourhood participants; and,
 - (b) That the Commissioner of Public Works and Traffic Department be authorized to provide a letter of endorsement to assist the neighbourhood in securing donations of materials and service in kind towards the project; and,
 - (c) That the Commissioner of Public Works and Traffic approve the final design prior to implementation.
5.
 - (a) That approval be given to the Director of Culture and Recreation to deaccession the objects from the Hamilton Military Museum collection listed hereto; and,

- (b) That the deaccessioned items listed be transferred to HMCS Star as an unconditional donation.

Artifacts:

Royal Canadian Navy uniforms and accessories 1950s and 1960s:

81.81.1-3	3 collars for square rig
.6	Blue sweater
.7-8	2 khaki shirts
.10-13	4 what jackets
.14	V-neck shirt
.15-16	2 pair white trousers
.18	Khaki web belt
.19	Overcoat
81.85.1-4	4 jackets, female issue
.5-8	4 raincoats. female issue
.9	Greatcoat, female issue
.10-12	3 pair bellbottom trousers
.13	Pair white trousers
.14	Denim workshirt
.15-19	5 white blouses, female issue
.20-22	3 skirts
.23	Blue web belt
.24	Collar for square rig
.25	White scarf
.26	Pair blue work pants, female issue

6. For the information of City Council, the Parks and Recreation Committee have made the following appointments to the Arts Advisory Commission:

Alderman Ron Corsini

Susan Penrose (for a term to expire 1998 November 30)

Don Moffat (for a term to expire 1999 November 30)

Robert Graeme Aitken (for a term to expire 2000 November 30)

7. For the information of City Council, the Parks and Recreation Committee have made the following appointments to the Hamilton Historical Board:

Alderman Bernie Morelli

Alderman Fred Eisenberger

Cecilia Furness (for a term to expire 1999 November 30)

Al Bridge (for a term to expire 2000 November 30)

David Cuming (for a term to expire 2000 November 30)

Rev. Dr. John Johnston (for a term to expire 2000 November 30)

Tim Kott (for a term to expire 2000 November 30)

8. For the information of City Council, the Parks and Recreation Committee have made the following appointments to the New Mum Show Sub-Committee:

Alderman Ron Corsini

Alderman Tom Jackson

Alderman Duke O'Sullivan

Frank Berry (for a term to expire 2000 November 30)

Barbara Bragdon (for a term to expire 2000 November 30)

Jean Carey (for a term to expire 2000 November 30)

John Carey (for a term to expire 2000 November 30)

Jeanne Reid (for a term to expire 2000 November 30)

9. For the information of City Council, the Parks and Recreation Committee have appointed Alderman Terry Anderson to serve on the Golf Course Sub-Committee.

10. For the information of City Council, the Parks and Recreation Committee have appointed Alderman Bernie Morelli and Alderman Dave Wilson to serve on the Hamilton Veterans Sub-Committee.
11.
 - (a) That a contribution in the amount of \$6,000 be granted to the Ontario Gymnastics Federation to assist in the hosting of the 1998 Canadian Gymnastics Championships to be held at the Chedoke Twin Pad Arena from 1998 May 25 to May 30; and,
 - (b) That a contribution in the amount of \$6,000 be granted to the Ontario Federation of Secondary Schools Association to assist in the hosting of the 1998 Ontario Gymnastics Championships at Chedoke Twin Pad Arena from 1998 April 20 to April 24; and,
 - (c) That the Finance and Administration Committee recommend a method of financing.
12. That the scope of work for Capital Fund Account No. CF629754026 Harbour Waterfront Trail -Phase 1 Construction be expanded to include work related to soil testing, land appraisals and land survey up to an amount not to exceed \$100,000 of the \$1 M. previously approved by Council.
13.
 - (a) That the sale of an easement for a sanitary sewer across the Chedoke (Martin) Golf Course to Chedoke Terrace Inc., (as represented by BDO Dunwoody, in its capacity as receiver/manager appointed by the Royal Bank of Canada, security holder), be approved for the sale price of \$50,000, subject to and upon the following conditions:
 - (i) installation and restoration work of the sanitary sewer shall be completed by Chedoke Terrace Inc. at its expense to the satisfaction of the Director of Culture and Recreation, during the offseason for the golf course - prior to April 15, 1998. Should the sewer work, for any unforeseen reason, not be completed by this date, compensation in the amount of \$6,240 per day shall be paid to the City by the developer; and,
 - (ii) Chedoke Terrace Inc. shall bury the sewer, fully restore the golf course disturbed and supply an additional 10 large caliper trees to be planted in strategic locations on the Chedoke - Martin Golf Course. The approximate value of these trees is \$3,500. The trees shall have a three year warranty period; and,

- (iii) the proposed new sanitary sewer shall be located along the existing buried watermain of the Region. Chedoke Terrace Inc. shall provide and deposit a survey satisfactory to the Regional Surveyor, of the subject easement prior to completion of the easement agreement; and,
 - (iv) The design and location of the sanitary sewer forcemain shall be satisfactory to the Director of Culture and Recreation and to the Regional Environment Department, Development Division. The developer shall also agree in the easement agreement that subsequent to installation, the applicant shall relocate the sewer to a new location at the developer's expense if directed by the City; and,
 - (v) Prior to commencement of Chedoke's sewer work, security that the work shall be completed by April 15 and that the other conditions of the City's easement are fulfilled as required, shall be paid by Chedoke Terrace Inc. to the City in the amount of \$31,200. In the event the work is completed as required by April 15, the City shall refund the said security without interest. If the sewer work is completed after April 15 or completed not in accordance with City requirements, the City may apply such security to the penalty owing and/or work not performed and the balance of penalty/City expenses in excess \$31,200 (if any) shall be immediately paid to the City by Chedoke Terrace Inc.; and,
 - (vi) Prior to commencement of the sewer work, realty taxes on the Chedoke Terrace Inc. property (former Lapp property) shall be in good standing, an easement agreement incorporating the City's conditions of sale and in a form satisfactory to the Director of Culture & Recreation and the City Solicitor shall have been executed and registered by Chedoke Terrace Inc. and Chedoke Terrace Inc. shall have paid the City the \$50,000 sale price as well as the said \$31,200 security; and,
- (b) That the \$50,000 derived from this sale be credited to a Reserve Account for Golf Course Improvements; and,
 - (c) That construction of the said sewer also be conditional upon and the purchaser is hereby authorized (by the City, as owner of Chedoke Golf Course), to apply to the Niagara Escarpment Commission for a Development Permit and to the Hamilton Region Conservation Authority for a permit to cross a creek, on the eastern edge of the Course; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

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- (e) That this easement intended to be sold to Chedoke Terrace Inc., in accordance with Realty Sales Procedural By-law No. 95-049, be declared surplus to the requirements of the City; and,
- (f) That the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act and in accordance with Real Property Sales Procedural By-law No. 95-049 that:
 - (i) the easement has been declared surplus to the requirements of the City; and,
 - (ii) satisfactory notice has been given to the public of the intended sale of the easement; and,
 - (iii) an appraisal of the fair market value of the said easement was obtained on the 17th day of February, 1998.

Respectfully Submitted,

**ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1998 February 17

**PLANNING & DEVELOPMENT
COMMITTEE**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTH** Report for 1998 and respectfully recommends:

1. (a) That approval be given to Zoning Application 97-37, Silvia Costabile, owner, for changes in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, modified, for Block "1", and from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, for Block "2", to permit development of Block "2" for three lots for single detached dwellings and retention of the existing dwelling on Block "1", for lands located at No. 73 Kennedy Avenue, as shown on the attached map marked as Appendix "A", on the following basis:
 - (i) That Blocks "1" and "2" be rezoned from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District; and,
 - (ii) That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variances as special provisions:
 - (1) That notwithstanding Section 9.(4), a lot width of at least 21.88 m and an area of at least 683 m² shall be required.
 - (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1397, and that Block "1" on Zoning District Map W-9E be notated S-1397; and,
 - (iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-9E for presentation to City Council; and,

- (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2. (a) That approval be given to Application CD-97-004, under the Rental Housing Protection Act, V. Silva, owner, for conversion of 23 rental apartments to condominium units for the property located at 29 Sherman Avenue South, subject to the following conditions:
- (i) That the City offer, on behalf of the Owner, in writing, to the Tenants residing at the premises on the date of Council's approval, the right to lease their current unit or a unit upon which the tenant and landlord mutually agree for a period of not less than three years from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in Appendix "B", upon the following minimum terms:
 - 1. the Offer will be open for acceptance by the Tenants for a period of 30 days from the date the Offer is sent by the City;
 - 2. the City will send the Offer, by registered mail, to the tenants residing at the premises as of the date of Council approval of the RHPA application, immediately following the expiration of the appeal period of the Council approval provided that the prescribed Phase II fee has been paid by, or on behalf of, the owner;
 - 3. that the Tenants' rent will not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended; and,
 - 4. that the Tenants' may terminate their lease, at any time, on 60 days written notice, without penalty.
 - (ii) That the City offer, on behalf of the Owner, in writing, to the Tenants residing at the premises on the date of Council's approval, an Option to purchase their current unit or a unit upon which the tenant and landlord mutually agree, together with appurtenant interests. Such Option shall allow each tenant at least three years from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale, in a form acceptable to the Hamilton

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Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner;

- (iii)
 - 1. That the City send by registered mail to the tenants residing at the premises as of the date of the Council approval of the RHPA application, the Option to Purchase details set by City Council; and,
 - 2. That the notice indicated in section (ii) above shall be sent immediately following the expiration of the appeal period of the Council approval provided that the prescribed Phase II fee has been paid by, or on behalf of, the Owner; and,
 - 3. That the tenants noted in (ii) above shall be given 30 days from the date of the letter sent by the City to notify the City whether they are or are not interested in further considering the Option.
- (iv) That this RHPA approval shall cease and be at an end,
 - 1. if the Owner has sold the land without entering into an RHPA Approval Agreement with the City and registering same on title; or,
 - 2. within two years from the date of Council's approval of RHPA application CD-97-004, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton;
- (v) That the Owner enter into a RHPA Approval Agreement with the City in a form satisfactory to the City Solicitor, incorporating the City's conditions of approval listed herein (and in Appendices "B", "C", and "D" annexed hereto) and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval;
- (vi) In the event that the Owner proposes to sell all of the subject lands, he/she shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein;

- (vii) That the Owner provide the City Solicitor with satisfactory evidence that any and all mortgagees of the property consent to the RHPA application; and,
 - (viii) That the Owner provide the City Solicitor with satisfactory evidence that there are no outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval.
 - (b) That upon satisfaction of the above-noted conditions, the City Solicitor be authorized to request that the City Clerk execute the RHPA Certificate of Approval.
 - (c) That upon the fulfilment of obligations set out in Rental Housing Protection Act Agreements, the City authorize the Mayor and City Clerk to sign discharges, to be registered at the sole expense of the party requesting the discharge, in a form satisfactory to the City Solicitor.
3. (a) That approval be given to Application CD-97-005, under the Rental Housing Protection Act, 822938 Ontario Inc., In Trust, Owner, for conversion of 108 rental apartment units to condominium apartment units for the property located at 75 Glenburn Court, subject to the following conditions:
- (i) That the City offer, on behalf of the Owner, in writing, to the Tenants residing at the premises on the date of Council's approval, the right to lease their current unit or a unit upon which the tenant and landlord mutually agree for a period of not less than three years from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in Appendix "E", upon the following minimum terms:
 - (1) the Offer will be open for acceptance by the Tenants for a period of 30 days from the date the Offer is sent by the City; and,
 - (2) the City will send the Offer, by registered mail, to the tenants residing at the premises as of the date of Council approval of the RHPA application, immediately following the expiration of the appeal period of the Council approval provided that the prescribed Phase II fee has been paid by, or on behalf of, the owner; and,

- (3) that the Tenants' rent will not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended; and,
 - (4) that the Tenants may terminate their lease, at any time, on 60 days written notice, without penalty; and,
- (ii) That the City offer, on behalf of the Owner, in writing, to the Tenants residing at the premises on the date of Council's approval, an Option to purchase their current unit or a unit upon which the tenant and landlord mutually agree, together with appurtenant interests. Such Option shall allow each tenant at least three years from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner, which agreement shall incorporate the conditions in Appendix "F", annexed hereto; and,
- (iii)
 - (1) That the City send by registered mail to the tenants residing at the premises as of the date of the Council approval of the RHPA application, the Option to Purchase details set by City Council; and,
 - (2) That the notice indicated in section (ii) above shall be sent immediately following the expiration of the appeal period of the Council approval provided that the prescribed Phase II fee has been paid by, or on behalf of, the Owner; and,
 - (3) That the tenants noted in (ii) above shall be given 30 days from the date of the letter sent by the City to notify the City whether they are or are not interested in further considering the Option; and,
- (iv) That this RHPA approval shall cease and be at an end,
 - (1) if the Owner has sold the land without entering into an RHPA Approval Agreement with the City and registering same on title; or,

- (2) within two years from the date of Council's approval of RHPA application CD-97-005, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton; and,
 - (v) That the Owner enter into a RHPA Approval Agreement with the City in a form satisfactory to the City Solicitor, incorporating the City's conditions of approval listed herein (and in Appendices "E", "F" and "G", annexed hereto) and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval; and,
 - (vi) In the event that the Owner proposes to sell all of the subject lands, he/she shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein; and,
 - (vii) That the Owner provide the City Solicitor with satisfactory evidence that any and all mortgagees of the property consent to the RHPA application; and,
 - (viii) That the Owner provide the City Solicitor with satisfactory evidence that there are no outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval; and,
 - (ix) That the Owner provide the City Solicitor with satisfactory evidence that a Change of Use Permit has been secured from the City of Hamilton Building Department; and,
 - (b) That upon satisfaction of the above-noted conditions, the City Solicitor be authorized to request that the City Clerk execute the RHPA Certificate of Approval.
 - (c) That upon the fulfilment of obligations set out in Rental Housing Protection Act Agreements, the City authorize the Mayor and City Clerk to sign discharges, to be registered at the sole expense of the party requesting the discharge, in a form satisfactory to the City Solicitor.
4. That Schedule "B" of By-law No. 98-045, as amended, appointing the Main Street West Esplanade B.I.A. Board of Management be repealed and the following names substituted:

SCHEDULE "B"

J. Bourinot	415 Main Street West, Dairy Queen, (Owner/Tenant)
I. Kobylanski	354 Main Street West, Izzy's Restaurants, (Owner/Tenant)
J. Castellano	287 Main Street West, Castellano Real Estate, (Owner/Tenant)
J. Morrison	65 Locke Street, Royal Bank, (Owner/Tenant)
B. Hughes	443 Main Street West, Tim Hortons, (Owner/Tenant)
M. Gunn	428 Main Street West, Mor Car Wash, (Owner/Tenant)
M. Farrugia	271 Main Street West, (Owner)

5. That Section 1B of the Seventh Report of the Planning and Development Committee, as approved by City Council on 1997 April 29, respecting the amended Zoning Application ZAC-96-05 - Paul Silvestri, attached hereto as Appendix "H" be amended by deleting Section B(a)(iv) in its entirety and that Sections B(a)(v), B(a)(vi) and B(a)(vii) be renumbered to B(a)(iv), B(a)(v) and B(a)(vi) respectively.
6. (a) That the Regional Municipality of Hamilton-Wentworth be requested to approve the request by A. Fletcher, agent, to extend draft plan approval for "Battleridge" subdivision under Regional File No. 25T-76024 for a further one (1) year period to February 28, 1999, subject to the following revisions to the conditions of draft plan approval:
 - (i) That Condition b) be deleted as it is no longer required; and,
 - (ii) That Condition c) be amended to state "That no more than 100 units be allowed to be developed from a single access road, on a temporary basis."; and,
 - (iii) That Condition e) be deleted as it is no longer required; and,
 - (iv) That Condition p) be revised to delete the reference to the Ministry of Transportation and Communications and the Regional Engineering Department and substitute "to the satisfaction of the Commissioner of the Regional Environment Department as well as the Commissioner of the Transportation Department."; and,
 - (v) That Condition p) be further revised to delete the reference to Highway No. 20 and refer to the road as Centennial Parkway; and,

- (vi) That Condition q) be deleted in its entirety and replaced with the following:

"That the Owner erect a 1.8 metre chain link fence along the entire frontage of Centennial Parkway with the exception of any approved portions, to the satisfaction of the Commissioner, Regional Environment Department. The fence is to be 100% developer's cost."; and,

- (vii) That Condition r) be deleted in its entirety and replaced with the following:

"That 0.30 metre reserves be transferred to the Region along the entire frontage of Centennial Parkway except for any approved portions to the satisfaction of the Commissioner of the Regional Environment Department."; and,

- (viii) That Condition s) be deleted in its entirety and replaced with the following:

"That the owner retain the services of a qualified Professional Engineer for the preparation of a detailed Noise Study in order to determine what measures are to be taken by the developer for noise generated by Centennial Parkway and that the developer implement noise mitigation measures to the satisfaction of the Commissioner of the Regional Environment Department."; and,

- (b) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision; and,
- (c) That the approved Gershome Neighbourhood Plan be amended to delete the temporary slip-off lane and the permanent slip-off lane from Centennial Park into the interior of the Gershome Neighbourhood.

- 7. That approval be given to the revised elevation plans for the Fearman House at 90 Stinson Street, of "door 101A exterior" (located on the west side of the central tower front entrance), dated 1998 January 20, attached hereto and marked as Appendix "I", as an amendment to the Heritage Permit approved by City Council on 1997 March 25.

8. For the information of City Council, the Planning and Development Committee have made the following appointments to the Central Area Plan Implementation Committee:

Alderman Geraldine Copps
Alderman Guy Corsini

William O'Brien (for a term to expire 1999 November 30)
Denise Giroux (for a term to expire 2000 November 30)

9. For the information of City Council, the Planning and Development Committee have made the following appointments to the Local Architectural Conservation Advisory Committee:

Alderman Frank D'Amico
Alderman Bill Kelly

John Mokrycke (for a term to expire 1998 November 30)
Reg Wheeler (for a term to expire 1998 November 30)
Brian Henley (for a term to expire 1999 November 30)
Jane Rigby (for a term to expire 1999 November 30)
Jeffrey Steadman (for a term to expire 1999 November 30)
Diane Dent (for a term to expire 2000 November 30)
Bill King (for a term to expire 2000 November 30)
Donna Yates (for a term to expire 2000 November 30)

10. For the information of City Council, the Planning and Development Committee have made the following appointments to the Beach Neighbourhood Plan Implementation Committee:

Alderman Geraldine Copps
Alderman Chad Collins
Alderman Frank Eisenberger
Alderman Dave Wilson

11. For the information of City Council, the Planning and Development Committee have made the following appointment to the BIA and Business Co-ordinating Committee:

Alderman Marvin Caplan

1998 February 24

12. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

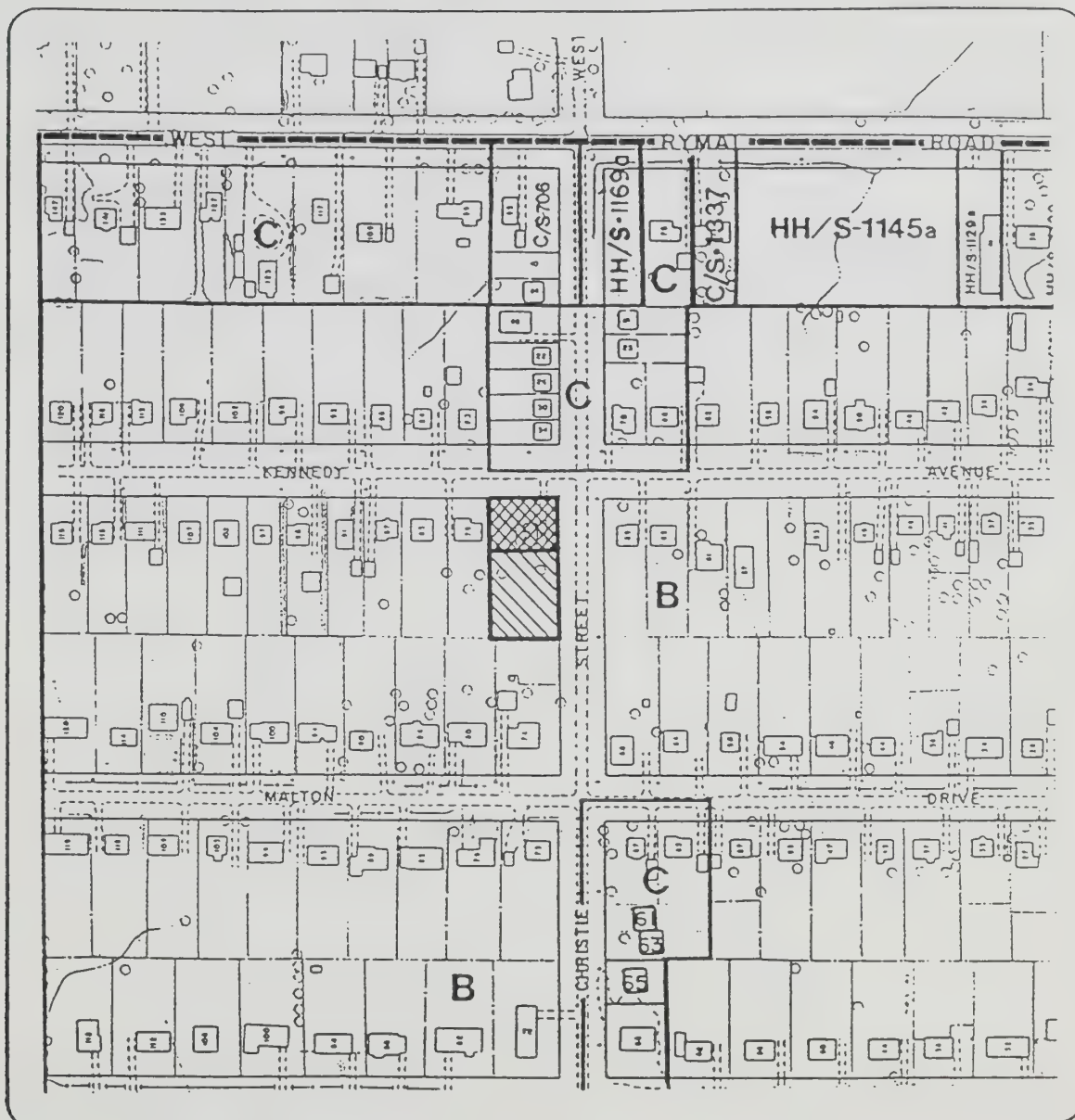
- (a) C-37 A By-law to Amend Zoning By-law 6593 Respecting Lands Located at Municipal No. 166 Queenston Road
- (b) C-38 A By-law to Amend By-law No. 87-308 as amended by By-laws No. 92-079 and 98-042 Respecting Members of the Board of Management of the Barton Village Business Improvement Area.

Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Stella Glover, Secretary
1998 February 18**

1998 February 24



Legend

Change in Zoning from:

BLOCK 1



"B" (Suburban Agriculture and Residential, etc.) District to
"C" (Urban Protected Residential, etc.) District, modified

BLOCK 2



"B" (Suburban Agriculture and Residential, etc.) District to
"C" (Urban Protected Residential, etc.) District

City of Hamilton

Location Map

Planning and Development Department

North



Scale
NOT TO SCALE

Date
FEBRUARY, 1998

Reference File No

ZAC-97-37

Drawn By
F A

1998 February 24

Unit 17 29 Sherman Avenue South
 Unit 17
 Hamilton, ON
 L8M 2P6

Rent: \$561.00

Unit 19 29 Sherman Avenue South
 Unit 19
 Hamilton, ON
 L8M 2P6

Rent: \$561.00

Unit 21 29 Sherman Avenue South
 Unit 21
 Hamilton, ON
 L8M 2P6

Rent: \$561.00

Unit 23 29 Sherman Avenue South
 Unit 23
 Hamilton, ON
 L8M 2P6

Rent: \$561.00

Unit 18 29 Sherman Avenue South
 Unit 18
 Hamilton, ON
 L8M 2P6

Rent: \$561.00

Unit 20 29 Sherman Avenue South
 Unit 20
 Hamilton, ON
 L8M 2P6

Rent: \$530.00

Unit 22 29 Sherman Avenue South
 Unit 22
 Hamilton, ON
 L8M 2P6

Rent: \$530.00

Unit 24 29 Sherman Avenue South
 Unit 24
 Hamilton, ON
 L8M 2P6

Rent: \$530.00

1998 February 24

The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

- (a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to purchase shall be prepared by the Owner and registered by the Owner at his/her expense, including payment of registration fees.
- (b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.
- (c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.

1998 February 24

The Agreement of Purchase and Sale shall provide,

- a) that the purchase price for a Unit be the price agreed upon between the Owner and the Tenant which price shall not exceed the dollar value assigned to the Unit by an accredited appraiser of real property less,
 - i) \$3,000.00 or 5.0 percent of the appraised dollar value of the Unit, whichever is greater; and,
 - ii) 25.0 percent of the total rental payments made by the Tenant in the preceding 12-month period prior to date the Agreement of Purchase and Sale is executed between the Tenant and the Owner.

1998 February 24

MONTHLY RENTAL CHARGES AS OF Januray 30, 1998

75Glenburn Court - CD-97-005

Unit 101	75 Glenburn Court Unit 101 Hamilton, ON L8E 1C7 Rent: \$560.00	Unit 107	75 Glenburn Court Unit 107 Hamilton, ON L8E 1C7 Rent: \$599.00
Unit 102	75 Glenburn Court Unit 102 Hamilton, ON L8E 1C7 Rent: \$599.00	Unit 108	75 Glenburn Court Unit 108 Hamilton, ON L8E 1C7 Rent: \$599.00
Unit 103	75 Glenburn Court Unit 103 Hamilton, ON L8E 1C7 Rent: \$634.71	Unit 109	75 Glenburn Court Unit 109 Hamilton, ON L8E 1C7 Rent: \$619.00
Unit 104	75 Glenburn Court Unit 104 Hamilton, ON L8E 1C7 Rent: \$599.00	Unit 110	75 Glenburn Court Unit 110 Hamilton, ON L8E 1C7 Rent: \$619.00
Unit 105	75 Glenburn Court Unit 105 Hamilton, ON L8E 1C7 Rent: \$699.00	Unit 111	75 Glenburn Court Unit 111 Hamilton, ON L8E 1C7 Rent: \$599.00
Unit 106	75 Glenburn Court Unit 106 Hamilton, ON L8E 1C7 Rent: \$599.00	Unit 112	75 Glenburn Court Unit 112 Hamilton, ON L8E 1C7 Rent: \$649.00

1998 February 24

Unit 113 75 Glenburn Court
Unit 113
Hamilton, ON
L8E 1C7

Rent: \$699.00

Unit 114 75 Glenburn Court
Unit 202
Hamilton, ON
L8E 1C7

Rent: \$756.92

Unit 115 75 Glenburn Court
Unit 115
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit 116 75 Glenburn Court
Unit 116
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit 117 75 Glenburn Court
Unit 117
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit 201 75 Glenburn Court
Unit 201
Hamilton, ON
L8E 1C7

Rent: \$509.00

Unit 2A 75 Glenburn Court
Unit 2A
Hamilton, ON
L8E 1C7

Rent: \$449.00

Unit 2B 75 Glenburn Court
Unit 2B
Hamilton, ON
L8E 1C7

Rent: \$450.00/Vacant

1998 February 24

Unit 301 75 Glenburn Court
Unit 301
Hamilton, ON
L8E 1C7

Rent: \$565.00

Unit 302 75 Glenburn Court
Unit 302
Hamilton, ON
L8E 1C7

Rent: \$606.48

Unit 303 75 Glenburn Court
Unit 303
Hamilton, ON
L8E 1C7

Rent: \$449.00

Unit 304 75 Glenburn Court
Unit 304
Hamilton, ON
L8E 1C7

Rent: \$699.00/Vacant

Unit 305 75 Glenburn Court
Unit 305
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit 306 75 Glenburn Court
Unit 306
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit 307 75 Glenburn Court
Unit 307
Hamilton, ON
L8E 1C7

Rent: \$616.00

Unit 308 75 Glenburn Court
Unit 308
Hamilton, ON
L8E 1C7

Rent: \$699.00/Vacant

Unit 309 75 Glenburn Court
Unit 309
Hamilton, ON
L8E 1C7

Rent: \$519.37

Unit 310 75 Glenburn Court
Unit 310
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit 311 75 Glenburn Court
Unit 311
Hamilton, ON
L8E 1C7

Rent: \$569.00

1998 February 24

Unit 401	75 Glenburn Court Unit 401 Hamilton, ON L8E 1C7 Rent: \$599.00	Unit 407	75 Glenburn Court Unit 407 Hamilton, ON L8E 1C7 Rent: \$615.00
Unit 402	75 Glenburn Court Unit 402 Hamilton, ON L8E 1C7 Rent: \$617.00	Unit 408	75 Glenburn Court Unit 408 Hamilton, ON L8E 1C7 Rent: \$699.00
Unit 403	75 Glenburn Court Unit 403 Hamilton, ON L8E 1C7 Rent: \$494.26/Vacant	Unit 409	75 Glenburn Court Unit 409 Hamilton, ON L8E 1C7 Rent: \$505.13
Unit 404	75 Glenburn Court Unit 404 Hamilton, ON L8E 1C7 Rent: \$699.00	Unit 410	75 Glenburn Court Unit 410 Hamilton, ON L8E 1C7 Rent: \$580.82/Vacant
Unit 405	75 Glenburn Court Unit 405 Hamilton, ON L8E 1C7 Rent: \$599.00	Unit 411	75 Glenburn Court Unit 411 Hamilton, ON L8E 1C7 Rent: \$599.00
Unit 406	75 Glenburn Court Unit 406 Hamilton, ON L8E 1C7 Rent: \$599.00		

1998 February 24

Unit 501 75 Glenburn Court
Unit 501
Hamilton, ON
L8E 1C7

Rent: \$625.00

Unit 502 75 Glenburn Court
Unit 502
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit 503 75 Glenburn Court
Unit 503
Hamilton, ON
L8E 1C7

Rent: \$469.00

Unit 504 75 Glenburn Court
Unit 504
Hamilton, ON
L8E 1C7

Rent: \$699.00

Unit 505 75 Glenburn Court
Unit 505
Hamilton, ON
L8E 1C7

Rent: \$580.80

Unit 506 75 Glenburn Court
Unit 506
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit 507 75 Glenburn Court
Unit 507
Hamilton, ON
L8E 1C7

Rent: \$580.82

Unit 508 75 Glenburn Court
Unit 508
Hamilton, ON
L8E 1C7

Rent: \$699.00

Unit 509 75 Glenburn Court
Unit 509
Hamilton, ON
L8E 1C7

Rent: \$499.00

Unit 510 75 Glenburn Court
Unit 510
Hamilton, ON
L8E 1C7

Rent: \$581.00

Unit 511 75 Glenburn Court
Unit 511
Hamilton, ON
L8E 1C7

Rent: \$655.99

1998 February 24

<p>Unit 601 75 Glenburn Court Unit 601 Hamilton, ON L8E 1C7</p> <p>Rent: \$616.00</p>	<p>Unit 607 75 Glenburn Court Unit 607 Hamilton, ON L8E 1C7</p> <p>Rent: \$604.80</p>
<p>Unit 602 75 Glenburn Court Unit 602 Hamilton, ON L8E 1C7</p> <p>Rent: \$599.00</p>	<p>Unit 608 75 Glenburn Court Unit 608 Hamilton, ON L8E 1C7</p> <p>Rent: \$695.00</p>
<p>Unit 603 75 Glenburn Court Unit 603 Hamilton, ON L8E 1C7</p> <p>Rent: \$499.00</p>	<p>Unit 609 75 Glenburn Court Unit 609 Hamilton, ON L8E 1C7</p> <p>Rent: \$499.00</p>
<p>Unit 604 75 Glenburn Court Unit 604 Hamilton, ON L8E 1C7</p> <p>Rent: \$699.00</p>	<p>Unit 610 75 Glenburn Court Unit 610 Hamilton, ON L8E 1C7</p> <p>Rent: \$599.00/Vacant</p>
<p>Unit 605 75 Glenburn Court Unit 605 Hamilton, ON L8E 1C7</p> <p>Rent: \$599.00</p>	<p>Unit 611 75 Glenburn Court Unit 611 Hamilton, ON L8E 1C7</p> <p>Rent: \$648.76/Vacant</p>
<p>Unit 606 75 Glenburn Court Unit 606 Hamilton, ON L8E 1C7</p> <p>Rent: \$599.00/Vacant</p>	

1998 February 24

Unit 701 75 Glenburn Court
Unit 701
Hamilton, ON
L8E 1C7

Rent: \$638.11/Vacant

Unit 702 75 Glenburn Court
Unit 702
Hamilton, ON
L8E 1C7

Rent: \$569.00/Vacant

Unit 703 75 Glenburn Court
Unit 703
Hamilton, ON
L8E 1C7

Rent: \$469.00

Unit 704 75 Glenburn Court
Unit 704
Hamilton, ON
L8E 1C7

Rent: \$699.00

Unit 705 75 Glenburn Court
Unit 705
Hamilton, ON
L8E 1C7

Rent: \$615.77

Unit 706 75 Glenburn Court
Unit 706
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit 707 75 Glenburn Court
Unit 707
Hamilton, ON
L8E 1C7

Rent: \$615.77/Vacant

Unit 708 75 Glenburn Court
Unit 708
Hamilton, ON
L8E 1C7

Rent: \$669.00

Unit 709 75 Glenburn Court
Unit 709
Hamilton, ON
L8E 1C7

Rent: \$488.46

Unit 710 75 Glenburn Court
Unit 710
Hamilton, ON
L8E 1C7

Rent: \$581.00

Unit 711 75 Glenburn Court
Unit 711
Hamilton, ON
L8E 1C7

Rent: \$580.82

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1998 February 24

Unit 801 75 Glenburn Court
Unit 801
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit 802 75 Glenburn Court
Unit 802
Hamilton, ON
L8E 1C7

Rent: \$599.00/Vacant

Unit 803 75 Glenburn Court
Unit 803
Hamilton, ON
L8E 1C7

Rent: \$505.00

Unit 804 75 Glenburn Court
Unit 804
Hamilton, ON
L8E 1C7

Rent: \$699.00

Unit 805 75 Glenburn Court
Unit 805
Hamilton, ON
L8E 1C7

Rent: \$616.00

Unit 806 75 Glenburn Court
Unit 806
Hamilton, ON
L8E 1C7

Rent: \$606.54

Unit 807 75 Glenburn Court
Unit 807
Hamilton, ON
L8E 1C7

Rent: \$600.00

Unit 808 75 Glenburn Court
Unit 808
Hamilton, ON
L8E 1C7

Rent: \$719.00

Unit 809 75 Glenburn Court
Unit 809
Hamilton, ON
L8E 1C7

Rent: \$499.00

Unit 810 75 Glenburn Court
Unit 810
Hamilton, ON
L8E 1C7

Rent: \$631.09/Vacant

Unit 811 75 Glenburn Court
Unit 811
Hamilton, ON
L8E 1C7

Rent: \$590.00

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;

1998 February 24

Unit 901 75 Glenburn Court
Unit 901
Hamilton, ON
L8E 1C7

Rent: \$616.00

Unit 902 75 Glenburn Court
Unit 902
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit 903 75 Glenburn Court
Unit 903
Hamilton, ON
L8E 1C7

Rent: \$513.00

Unit 904 75 Glenburn Court
Unit 904
Hamilton, ON
L8E 1C7

Rent: \$699.00

Unit 905 75 Glenburn Court
Unit 905
Hamilton, ON
L8E 1C7

Rent: \$580.82

Unit 906 75 Glenburn Court
Unit 906
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit 907 75 Glenburn Court
Unit 907
Hamilton, ON
L8E 1C7

Rent: \$616.00

Unit 908 75 Glenburn Court
Unit 908
Hamilton, ON
L8E 1C7

Rent: \$699.80

Unit 909 75 Glenburn Court
Unit 909
Hamilton, ON
L8E 1C7

Rent: \$499.00

Unit 910 75 Glenburn Court
Unit 910
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit 911 75 Glenburn Court
Unit 911
Hamilton, ON
L8E 1C7

Rent: \$599.00

1998 February 24

Unit A1001 75 Glenburn Court
Unit A1001
Hamilton, ON
L8E 1C7

Rent: \$629.22/Vacant

Unit A1007 75 Glenburn Court
Unit A1007
Hamilton, ON
L8E 1C7

Rent: \$620.00

Unit A1002 75 Glenburn Court
Unit A1002
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit A1008 75 Glenburn Court
Unit A1008
Hamilton, ON
L8E 1C7

Rent: \$180.39

Unit A1003 75 Glenburn Court
Unit A1003
Hamilton, ON
L8E 1C7

Rent: \$514.00/Vacant

Unit A1009 75 Glenburn Court
Unit A1009
Hamilton, ON
L8E 1C7

Rent: \$499.00

Unit A1004 75 Glenburn Court
Unit A1004
Hamilton, ON
L8E 1C7

Rent: \$699.00

Unit A1010 75 Glenburn Court
Unit A1010
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit A1005 75 Glenburn Court
Unit A1005
Hamilton, ON
L8E 1C7

Rent: \$599.00

Unit A1011 75 Glenburn Court
Unit A1011
Hamilton, ON
L8E 1C7

Rent: \$612.53

Unit A1006 75 Glenburn Court
Unit A1006
Hamilton, ON
L8E 1C7

Rent: \$616.00

1998 February 24

The Agreement of Purchase and Sale shall provide,

- (a) that the sale shall be completed within One Hundred and Twenty (120) days of execution of the agreement, unless otherwise agreed by the Tenant and Owner; and,
- (b) that the purchase price for a Unit be the price agreed upon between the Owner and the Tenant which price shall not exceed the dollar value assigned to the Unit by an accredited appraiser of real property less,
 - i) \$3,000.00 of the appraised dollar value of the Unit; and,
 - ii) 25.0 percent of the total rental payments made by the Tenant in the preceding 12-month period prior to date the Agreement of Purchase and Sale is executed between the Tenant and the Owner.

The aforementioned accredited appraiser of real property shall be retained at the expense of the owner and the appraisal of the unit shall be conducted within 21 days of the Tenant exercising their Option to purchase a unit.

;

1998 February 24

The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

- (a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to purchase shall be prepared by the Owner and registered by the Owner at his/her expense, including payment of registration fees.
- (b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.
- (c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.

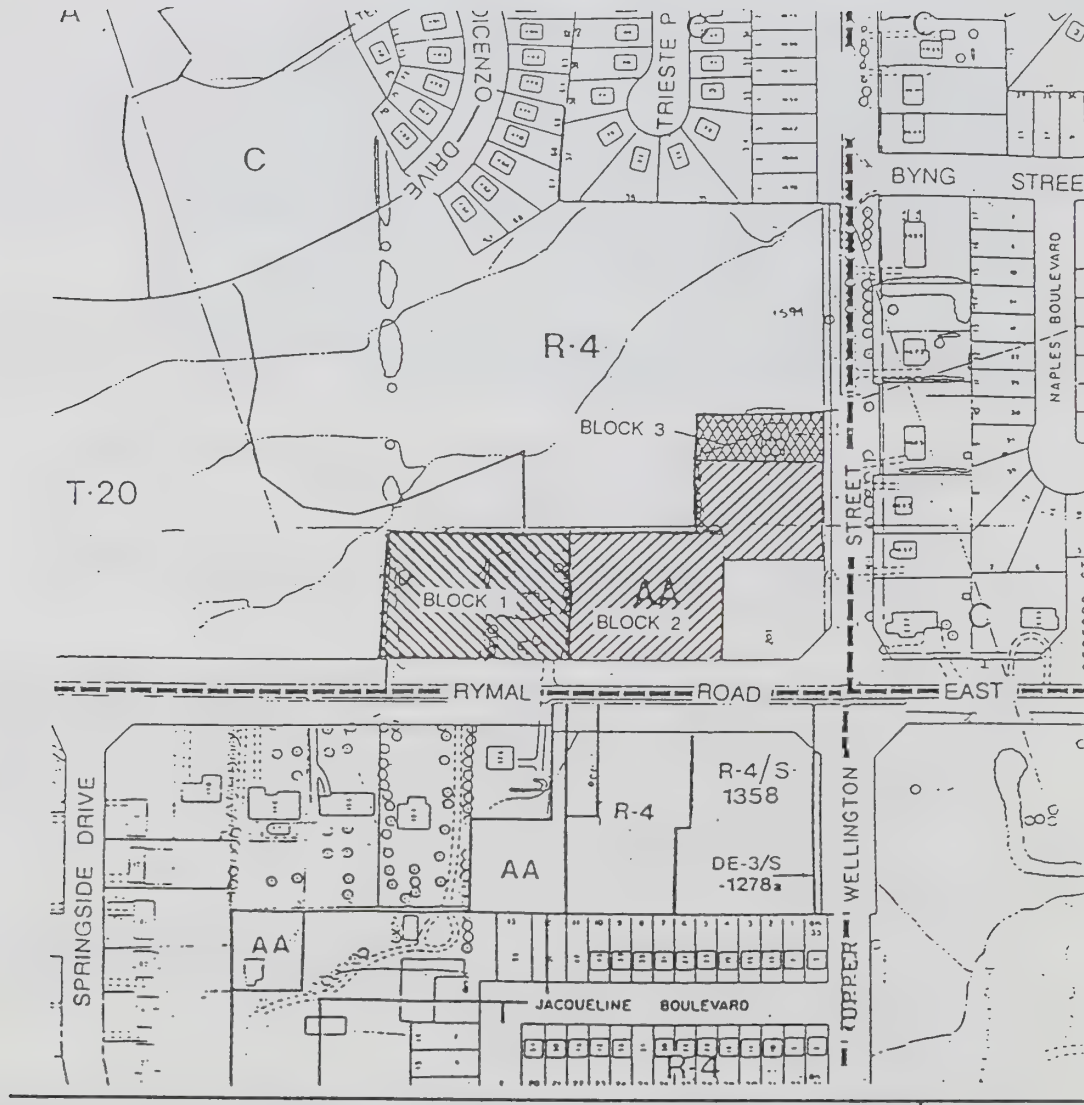
1998 February 24

CITY COUNCIL
APRIL 29, 1997

- 1(B) That approval be given to Amended Zoning Application ZAC-96-05, **Paul Silvestri, owner**, for changes in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District (Block "1"), "R-4" - 'H' (Small Lot Single Family - Holding) District (Block "2") and "C" (Urban Protected Residential, etc.) District (Block "3"), for lands located north of Rymal Road East and west of Upper Wellington Street, known municipally as 177 Rymal Road East and 1684 Upper Wellington Street, as shown on the attached map marked as APPENDIX "A", on the following basis:
- (i) That Block "1" be rezoned from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District;
 - (ii) That Block "2" be rezoned from "AA" (Agricultural) District to "R-4" - 'H' (Small Lot Single Family - Holding) District;
 - (iii) That Block "3" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (iv) That the amending By-law applicable to Block "2" apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as the availability of all such municipal services for the subject lands as the City deems necessary to service the proposed development.




City Council may remove the 'H' symbol, and thereby give effect to the "C" District, provisions as stipulated in the By-law by enactment of an amending By-law once the condition is fulfilled;
 - (v) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1379, and that the Block "1" on Zoning District Map W-17B be notated S - 1379;
 - (vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9D for presentation to City Council; and,
 - (vii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

1998 February 24



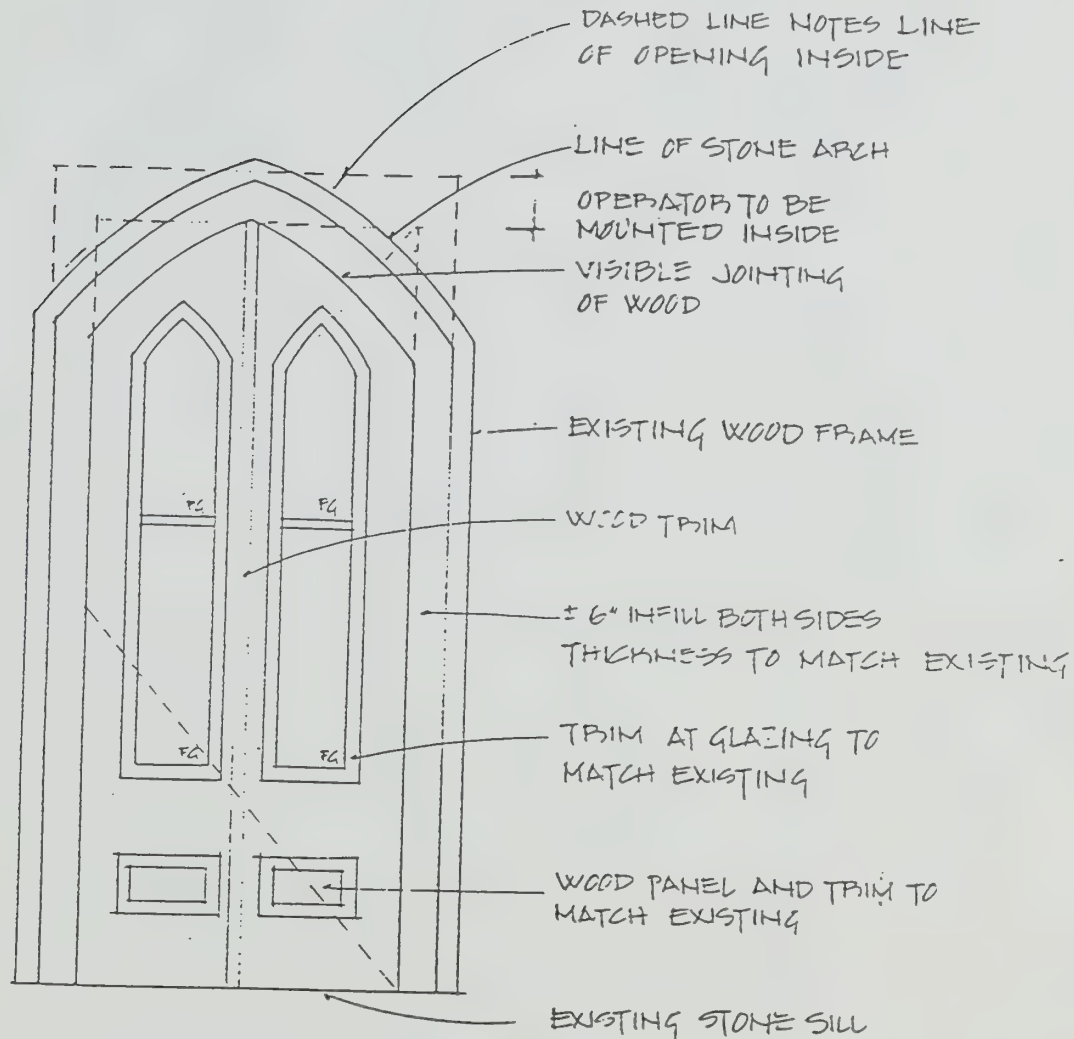
Legend

Proposed change in zoning :

- | | | |
|---------|---|--|
| BLOCK 1 |  | "AA" (Agricultural) District, to "R-4"
(Small Lot Single Family Dwelling) District. |
| BLOCK 2 |  | "AA" (Agricultural) District to "R-4" -"H"
(Small Lot Single Family Dwelling- Holding) District |
| BLOCK 3 |  | "AA" (Agricultural) District, to "C"
(Urban Protected Residential, etc) District |


ZAC-96-05
SAC-96-01

1998 February 24



INTERIOR SIMILAR, TO MATCH TRIM PROFILES OF EXISTING

90 STINSON STREET
HAMILTON, ONTARIO

DRAWING: DOOR 101A EXTERIOR ELEVATION- REVISED

McCallum Sather Architects Inc

DATE: JAN 20/98
SCALE: 1/2" = 1'0"

96-08S(R)

SK NO. 32

FINANCE & ADMINISTRATION
COMMITTEE

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTH** Report for 1998 and respectfully recommends:

1. That the City of Hamilton make a presentation before the Senate hearings on The Canada Marine Act, Bill C-9; and,
2. That the Hamilton Harbour Commissioners be requested to provide the City of Hamilton with the following financial information relating to the Hamilton Harbour Commission within 14 (fourteen) days;
 - (a) Information relating to the current five-year capital budget, including:
 - (i) A list of the projects included in the budget and the nature/purpose of the project/expenditure; and,
 - (ii) Whether the expenditure represents an improvement/addition to existing capacity or whether it relates to a maintenance/replacement expenditure required to sustain existing capacity; and,
 - (iii) Copies of any available economic or feasibility studies or similar documents/analyses prepared in support of the budgeted expenditures; and,
 - (iv) Information on the present stage of each project (i.e., whether the project has been designed, whether the costs have been estimated, whether the project has been put out to construction companies for tender, whether the project is in progress, etc.); and,
 - (v) How the expenditure will be financed (i.e. from existing investments reserved for future improvements, from future cash flow, from debt, etc.); and,
 - (b) Any available operating budgets (i.e., budgeted statements of revenue and expenses and or budgeted balance sheets); and,

- (c) A list of tenants/leases (for both existing tenants/leases and any leases that have been signed for future tenants) setting out the following:
 - (i) The property (Pier #) and the name of the tenant; and,
 - (ii) The terms of the lease, including monthly or periodic required rental payments, the maturity date of the lease and whether the lease is on a gross or net basis; and,
- (d) The full audited financial statements (complete with notes and supporting schedules including the fixed asset and depreciation schedule) for the Harbour for the years 1980 to 1984, 1986 and 1989; and,
- (e) Certain financial statements that have been provided to us for 1990 and subsequent years include various schedules of revenue, expenses and fixed assets, including:
 - (i) Schedule of Revenue; and,
 - (ii) Schedule of Operating Expenses; and,
 - (iii) Schedule of Administrative, Office and General Expenses; and,
 - (iv) Schedules of Fixed Assets (including Land, Docks and Harbour Improvements, Buildings, and Vessels and Equipment).

However, we are missing (and are therefore requesting) these schedules for the following years:

- (1) 1994; and,
 - (2) 1995 (Schedule of Vessels and Equipment only); and,
 - (f) It would appear that the detailed revenue/expense/fixed asset data was included in the financial statements for years prior to 1990. If so, then this information would be included in the financial statements requested above in point (iv). However, to the extent that the schedules of revenue, expenses and fixed assets were prepared for years prior to 1990 (and are not otherwise disclosed in the financial statements), then please provide these detailed schedules for such prior years; and,
 - (g) That any further information requested by the City through KPMG, Chartered Accountants for the City of Hamilton on harbour issues, be provided within 30 (thirty) days as set out in the Walsh Decision.
3. (a) That correspondence from the Secretary to the Hamilton Harbour Commissioners dated 1998 January 26, respecting Memorandum of Agreement, September 29, 1997, be received; and,

- (b) That the Hamilton Harbour Commissioners be advised that the City of Hamilton has not agreed with the positions put forward under items 5(1) and (2) of the Board of the Hamilton Harbour Commissioners resolution, referred to in correspondence dated 1998, January 26 from the Secretary to the Board of Commissioners to the City Clerk respecting the Memorandum of Agreement, September 29, 1997; and,
 - (c) That the Hamilton Harbour Commissioners be advised that as per section 5(3) of their correspondence, for the purposes of meetings as projected by 1998 March 14, the City of Hamilton representatives are Mayor Morrow, Alderman Charters and Alderman Collins.
- 4. That approval be given to establish an open order with A.M. Roofing Systems Incorporated of Hamilton Ontario, for Roof Repairs as and when required for 1998, 1999 and 2000 at an hourly charge-out rate of \$47, \$48 and \$49 respectively, being the lowest tender received in accordance with specifications issued by the Purchasing Division 1998 January.
- 5.
 - (a) That approval be given to issue a purchase order in the amount of \$105,930 inclusive of a Contingency (\$10,000) & G.S.T. (\$6,930) to commission Arc-Tech Contracting Ltd. of Hamilton for the installation of the emergency generator at City Hall, being the lowest price of two quotations received in accordance with the specifications (Ref: C6-4797) issued by the Purchasing Division; and,
 - (b) That the expenditure be financed from Capital Fund Accounts - Uninterruptable Power Supply - City Hall - CF319541007 (\$81,765.13), Split Power Supply - City Hall - CF319541006 (\$5,215.41) & C.U.P.- Capital Replacement- CF319651022 (\$18,949.46).
- 6. That the statement of the Treasurer summarizing remuneration and expenses paid to Members of Council and Members of Other Bodies for the year 1997, attached hereto as Appendix "A" be received by City Council.
- 7.
 - (a) That approval be given to specify Volcano Boilers manufactured by Thermogenics Inc. of Aurora Ontario, in a tender for the supply and installation of new boilers, and that the amount of \$155,020 inclusive of GST (\$9,436) be included as an allowance in said specification; and,
 - (b) That the complete project be financed from Capital Fund Accounts - Replace Boilers - City Hall - CF319741037 (\$145,000) and Domestic Hot Water System - City Hall-CF319251003 (\$100,000).

8. That Section 12 of the Seventeenth Report of the Finance and Administration Committee for 1996, adopted by City Council at it's meeting held 1996 October 29, respecting the request that the Hamilton Board of Education and the Hamilton-Wentworth Roman Catholic Separate School Board provide the City with a list of nominee recommendations for the City's consideration in appointing School Board representatives to the Hamilton Public Library Board, be rescinded.
9.
 - (a) That the Pilot Procurement Card Program be adopted on an ongoing basis in accordance with the procedures established for the program; and,
 - (b) That cardholder additions occur only when specifically requested by a City Department and reviewed/approved by the Department Head of the requesting department, and be in keeping with the parameters approved for this program; and,
 - (c) That the procurement card program be included in the banking tender scheduled for the fall of 1998.
10.
 - (a) That, based upon information and quotations received from Dalton Timmis Group, Inc., the City's current Insurance Brokers, the City purchase insurance coverage for the term 1998 March 1 to 1999 March 1, at a total cost of \$549,868, plus PST, in accordance with Appendix "B" attached hereto; and,
 - (b) That the Mayor and the City Clerk be authorized to execute all necessary documentation in a form satisfactory to the City Solicitor; and,
 - (c) That the City Solicitor be authorized to cancel the following policy, rendered redundant, effective 1997 March 1, because of the encompassing Public Officials Liability Insurance Policy:

Association Liability Insurance with Chubb Insurance Company of Canada (Policy No. 8130-23-76D) in respect of the Hamilton Public Library Board.
11.
 - (a) That the audited Financial Statements for Grey Cup 1996 Hamilton Inc., as prepared by MacGillivray Partners - Chartered Accountants, for the period ended February 28, 1997 be received; and,
 - (b) That the City portion of \$586,362.38 be financed from the Reserve for Working Funds, Account Centre No. CH 00172.

12.
 - (a) That the City of Hamilton continue to support the United Way by participating in the Loaned Representative Program by providing a City employee to work on a full time basis on the annual fund raising campaign in 1998 by the Building Department, and;
 - (b) That the City of Hamilton promote the United Way Campaign and simultaneously acknowledge the efforts of its dedicated employee by recognizing this employee's contribution at the beginning of a Council meeting after the Loan Representative Program.
13. That Alderman Bob Charters and Alderman Marvin Caplan be appointed to meet with the Hamilton Health Sciences Corporation Board of Trustees respecting the role and mandate of the Corporation of the City of Hamilton representatives on the Board.
14.
 - (a) That the Master Lease between The Regional Municipality of Hamilton-Wentworth and the City of Hamilton be amended by increasing the space leased by the Region at City Hall by approximately 7,453 square feet (first floor); and,
 - (b) That the rental payment be increased ($7,453 \times \$12$ per square foot) by \$89,436 per annum or \$7,453 per month and that any further lease area amendments be calculated at a rate of \$12 per square foot; and,
 - (c) That the lease commence thirty (30) days after the Region has completed its tenant improvements which improvements are to be at the Region's cost; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute a Lease Amendment Agreement in a form satisfactory to the City Solicitor.
15. That the appropriate By-law to authorize a Municipal Capital Facility Agreement with the Hamilton East Kiwanis Boys' and Girls' Club Inc. be enacted by City Council.
16.
 - (a) That the City of Hamilton host a Civic Reception - Crew/Volunteer Appreciation Night on 1998 June 19 for the 1998 Hamilton International Air Show, at a cost not to exceed \$5,000.; and,
 - (b) That the funding for this expenditure be financed from the Special Civic receptions and Delegations Hostings Account No. CH 55314 84010.

17. (a) That the composition of the Hamilton Farmers Market Sub-committee be amended by increasing the number of City Council representatives from two to three and reducing the number of Citizen members from two to one; and,
- (b) For the information of City Council, the Finance and Administration Committee have made the following appointments to the Farmers Market Sub-Committee;
- Alderman Marvin Caplan
Alderman Bill Kelly
Alderman Duke O'Sullivan
Mr. Frank Berry (for a term to expire 2000 November 30)
18. (a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:
- (i) 319-321 King Street East
(ii) 647-649 King Street East
(iii) 1063-1071 Barton Street East
- (b) That the Real Estate Division be authorized and directed to sell these properties in accordance with the Real Property Sales Procedural By-law.
19. (a) That the Community Energy Opportunities in Hamilton Study (Executive Summary) dated 1997 December, prepared by the Energy Technology Centre, Natural Resources Canada, available for viewing in the office of the Committee Secretary, be accepted; and,
- (b) That the concept of a Community Energy System for Downtown Hamilton be pursued by the City/Region and Natural Resources Canada, on a cost shared basis subject to inclusion in the 1998 Capital Budget, by proceeding with the development process including the completion of various investigations that amongst other things will, confirm the heating loads of potential users of energy, confirm the economics of the cooling component, identify the various options for partners as far as capital investment and energy sources, complete a market survey of potential users, detail the options available for the ownership and operation of the project, map out the various options for implementation, investigate and detail the various legal implications and necessary contractual arrangements for the supply of heating and cooling; and,

1998 February 24

- (c) That a joint City/Region - Staff Technical Advisory Group and Political Steering Committee be established as a Community Energy Group to further develop the project. The staff group will among other tasks, appoint a project leader, coordinate the completion of a detailed feasibility study including full economic assessment and development options, conduct an initial marketing campaign, investigate the interest from outside parties and broaden the scope of the study to include a cooling component of the Community Energy System. Work done by the Staff Group will be directed through the Steering Committee to the City Finance & Administration Committee and Regional Environmental Services Committee; and,
 - (d) That Alderman Bob Charters be appointed as the City of Hamilton representative on this Steering Committee; and,
 - (e) That the Regional Municipality of Hamilton Wentworth and the Energy Technology Group, Natural Resources Canada be informed of this decision.
20. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) D-15 A By-law to Authorize a Municipal Capital Facility Agreement with the Hamilton East Kiwanis Boys' and Girls' Club Inc.
 - (b) D-16 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. O'SULLIVAN, VICE-CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Kevin C. Christenson
Acting Secretary
1998 February 17**

1998 February 24

City of Hamilton
Treasury

STATEMENT OF THE TREASURER for the period ending December 31, 1997

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

Appendix "A" referred
to in Section 6 of the
SIXTH Report of
the Finance and
Administration
Committee for 1998

1. REMUNERATION

(a) Members of Council	Salary*
Agro, V. J.	18,916.32
Anderson, T.	20,492.68
Caplan, M.	20,492.68
Collins, C.	20,492.68
Charters, R.	20,492.68
Copps, G.	20,492.68
Corsini, R.P.	1,576.36
D'Amico, F.	20,492.68
Drury, D.	18,916.34
Eisenberger, F.	20,492.68
Haining, D.C.	1,576.36
Horwath, A.L.	1,576.36
Jackson, T.	20,492.68
Kelly, W.P.	1,576.36
Kiss, M.	20,492.68
McCulloch, W.	18,916.32
Merling, H.	18,916.32
Morelli, B.	20,492.68
Morrow, R.	65,576.16
O'Sullivan, P.M.	1,576.36
Ross, D.	18,916.32
Wilson, D.	<u>20,492.68</u>
	<u>\$393,459.06</u>

*One-third of these amounts deemed to be "Expenses" in accordance with section 255 of the Municipal Act.

b) Committee of Adjustment

Member-Honourarium

Dudzic, M.	\$2,600.00
Serwatuk, D.	2,100.00
Begg, E.	2,100.00
Law, B.	2,100.00
Cutler, R.	<u>2,100.00</u>
	<u>\$11,000.00</u>

Member-Conference Expenses

Cutler, R.	\$1,166.85
Serwatuk, D.	<u>1,166.85</u>
	<u>\$2,333.70</u>

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1997

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

(c) License Examining Board

Member	Honorarium
Allison, H.	\$ 1,000.00
Clothier, R.	500.00
Cooper, H.	1,000.00
Gibson, D.	500.00
Green, R.	200.00
Groves, L.	200.00
Hardie, D.	1,200.00
Holms, M.	1,100.00
Kaut, H.	1,000.00
Korz, G.	1,200.00
Langdon, D.	100.00
MacIntyre, D.	1,100.00
Penko, G.	1,000.00
Reilly, M.	200.00
Taffs, R.	500.00
VanDerbeek, P.	1,550.00
Woodrow, B.	1,200.00
Warner, S.	<u>100.00</u>
	<u>\$13,650.00</u>

(d) Historical Board

Member - Conference Expenses

Newman, J.	\$204.97
Reiding, V.	<u>204.97</u>
	<u>\$409.94</u>

(e) Local Architectural Conservation Advisory Committee

Member - Conference Expenses

Rigby, J.	<u>\$483.83</u>
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1998 February 24

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1997

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

2. EXPENSES

(Residence telephone allowance, travelling and local grant to Mayor)

(a) Members of Council	Amount
Agro, V. J.	924.65
Anderson, T.	278.06**
Caplan, M.	4,462.36
Charters, R.	2,261.99
Collins, C.	3,001.85
Copps, G.	nil
Corsini, R.P.	23.17**
D'Amico, F.	278.06**
Drury, D.	3,266.97
Eisenberger, F.	278.06**
Haining, D.C.	23.17**
Horwath, A.L.	23.17**
Jackson, T.	278.06**
Kelly, W.P.	23.17**
Kiss, M.	278.06**
McCulloch, W.	10,915.67
Merling, H.	254.89**
Morelli, B.	278.06**
Morrow, R.	41,838.58
O'Sullivan, P.M.	23.17**
Ross, D.	254.89**
Wilson, D.	<u>278.06**</u>
	<u>\$69,244.12</u>

**telephone allowance only

(b) Public Library Appointees

Member - Travel and Conference Expenses

Down, G.T.	\$ 95.20
Rogers, P.	200.00
Dawna Petsche-Wark	<u>636.28</u>
	<u>\$931.48</u>

(c) H.E.C.F.I. Appointees

Member - Travel and Conference Expenses

Alderman T. Anderson	\$3,194.10
Alderman Charters	160.38
Mayor Morrow	<u>2,798.26</u>
	<u>\$6,152.74</u>

(d) Parking Authority Appointees Nil

- 1) Commercial General Liability Insurance
 - (a) Primary Liability Coverage from Royal Insurance Company of Canada in the limit of \$1,000,000 carrying a deductible of \$500,000 at a premium of \$98,860;
 - (b) Umbrella Liability Coverage from Elliott Special Risks in the limit of \$5,000,000 at a premium of \$42,300;
 - (c) Primary Excess Liability Coverage from Gerling Global General Insurance Company in the limit of \$10,000,000 at a premium of \$15,000;
 - (d) Secondary Excess Liability Coverage from Elliott Special Risks in the limit of \$9,000,000 at a premium of \$7,000;
- 2) Automobile Fleet Liability Insurance from Royal Insurance Company of Canada in the limit of \$1,000,000 with a premium cost of \$108,344;
- 3) Garage Liability Insurance from Royal Insurance Company of Canada at a limit of \$1,000,000 with a premium cost of \$16,988;
- 4) Property Insurance from Royal Insurance Company of Canada (60%) and Gerling Global General Insurance Company (40%) in broad form coverage amount of \$525,866,446 with expiring sublimits as enhanced carrying a deductible of \$100,000 at a premium of \$175,417;
- 5) Boiler Insurance from Royal Insurance Company of Canada at a premium cost of \$18,879;
- 6) Crime Insurance from Chubb Insurance Company of Canada at the expiring limits carrying a deductible of \$10,000 at a premium cost of \$19,000;
- 7) Multimedia Liability Insurance from Royal Insurance Company of Canada at the expiring limits and deductibles and a premium cost of \$1,950;
- 8) Public Officials Liability Insurance from London Guarantee Insurance Company Limited, with a limit of 5,000,000 per occurrence and a deductible of \$10,000, including the Corporation of the City of Hamilton, all elected persons, employees, boards, and captive corporations as Named Insureds with the exception of HECFI at a premium cost of \$39,000; and
- 9) Executive Liability and Indemnification Coverage with Chubb Insurance Company of Canada in respect of HECFI in the expiring limit of \$3,000,000 and expiring premium of \$7,130.

N O M I N A T I N G C O M M I T T E E

1998 February 24

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **FOURTH** Report for 1998 and respectfully recommends:

1. That Alderman _____ be appointed Chairman of the Committee of the Whole for the months of March, April and May, 1998.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1998 February 24

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1998 FEBRUARY 24
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

3. That **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Everton	South	from 149 feet west of Upper Ottawa to Irving	8am - 6pm	Mon-Fri
Bruceale	North	commencing 74 feet west of Upper James and extending 18 feet westerly therefrom		Anytime
Avondale	East	Barton to Mons		Anytime."

and by deleting therefrom the following item, namely:-

"Everton	South	from a point 149' west of Upper Ottawa to Irving		Anytime."
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and by deleting from **Part A** thereof the following item, namely:-

"Bruceale	North	45 ft.	30 ft. west of Upper James	Anytime."
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4. That **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Picton	North	commencing 138 feet west of James and extending 21 feet westerly therefrom		Anytime."
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and by deleting therefrom the following items, namely:-

"Stapleton	West	from 267 feet south of Grenfell and extending 17 feet southerly therefrom		Anytime
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Stapleton	East	from 191 feet south of Grenfell and extending 19 feet southerly therefrom		Anytime
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Tisdale	East	commencing 176 feet north of east/west leg of Tisdale and extending 21 feet northerly therefrom		Anytime
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Tisdale	West	commencing 186 feet north of the east/west leg of Tisdale and extending 14 feet northerly therefrom		Anytime."
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5. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

PASSED this

day of

1998.

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Cyprus	Northbound	Sirente
Kent	Northbound and Southbound	Stanley."

2. That **Schedule 18 (No Right Turn On Red Signal at Certain Intersections)** of said By-law is hereby amended by deleting therefrom the following item, namely:-

"Mall	Northbound	Mohawk	8:00 am - 6:00 pm."
			Saturdays & Sundays

3. That **Schedule 28 (Taxi Stands)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Eastwood	East	25 feet	52 feet south of Melvin	7:00 am - 6:00 pm."
				Monday to Friday

4. That **Schedule 39 (No Stopping Areas)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Eastwood	East	Melvin to 52 feet southerly	Anytime."
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and by deleting therefrom the following item, namely:-

"Eastwood	East	Melvin to 115 feet south	Anytime."
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5. That **Schedule 35 (Wheelchair Loading Zones)** of said By-law be amended by adding thereto the following items, namely:-

"Garfield	East	24 feet	103 feet south of Vineland	7:00 a.m. - 5:00 p.m. Monday to Friday
Tisdale	East	21 feet	176 feet north of the east/west leg of Tisdale	9:00 a.m. - 7:00 p.m.
Erindale	East	30 feet	110 feet north of Dundonald	7:00 a.m. - 6:00 p.m." Monday to Friday

6. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

PASSED this _____ day of _____ 1998.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 98 -

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 166 QUEENSTON ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "H" (Community Shopping and Commercial, etc.) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

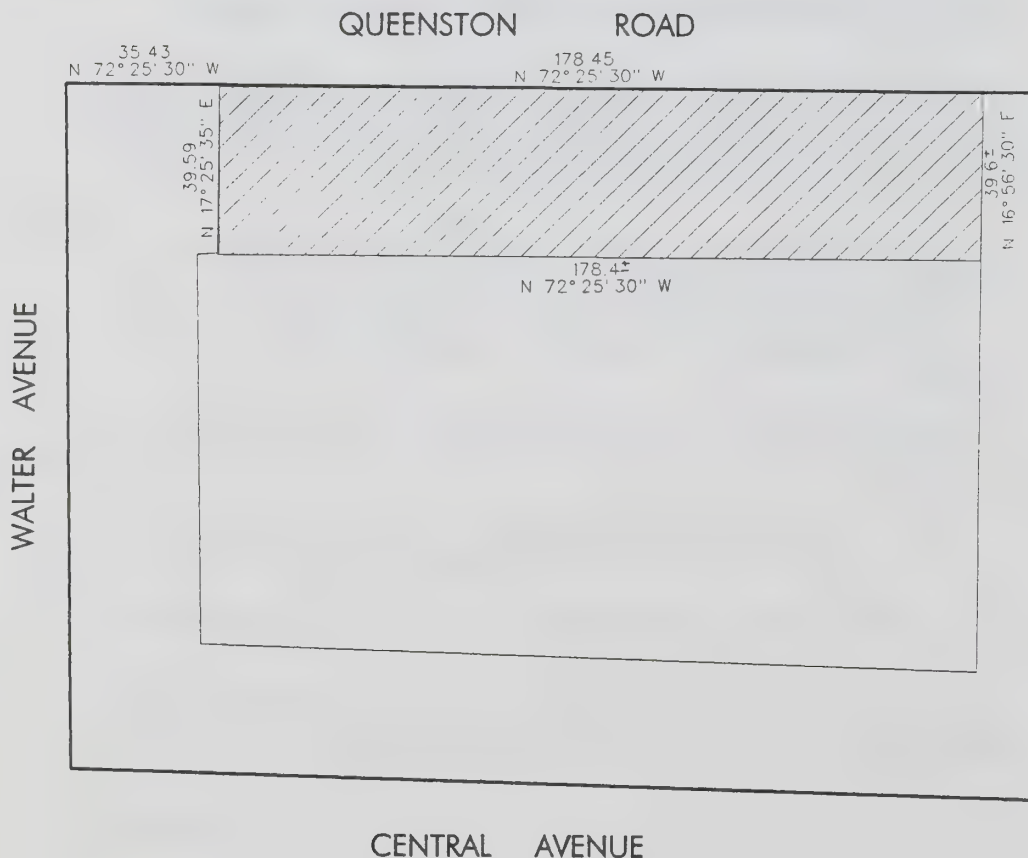
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1998

CITY CLERK

MAYOR

(1998) 2 R.P.D.C. 2, January 27
CI-97-C



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-.....
Passed the day of, 1998.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 98-.....
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in Zoning From:



BLK 1

"H" (Community Shopping and Commercial,
etc.) District, to "C" (Urban Protected
Residential, etc.) District.

North



Scale
Not to Scale

Date
Feb. 1998

Reference File No.
CI-97-C

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

By-law No. 87-308

As Amended by By-laws No. 92-079 and 98-042

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE BARTON VILLAGE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 87-308, passed on the 10th day of November 1987, provided for a Board of Management of the Improvement Area designated by By-law No. 87-178, passed on the 23rd day of June 1987, known as the "Barton General Business Improvement Area", (now known as the "Barton Village Business Improvement Area"), more particularly described in By-law No. 87-178, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302, (now Section 220(1) and Section 220(6) of the Municipal Act, R.S.O. 1990, Chapter M.45);

AND WHEREAS By-law No. 92-079, passed on the 20th day of March 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 87-308;

AND WHEREAS By-law No. 98-042, passed on the 27th day of January 1998, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 98-042;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 7 of the 3rd Report of the Planning and Development Committee on the 10th day of February 1998, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2.(a) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

Alderman B. Morelli
Alderman D. Haining

2. Schedule "B" referred to in clause 2.(b) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

D. Boukhers	Farah's Foodmart
J. Hendry	Hendry's Family Shoes
T. Franceour	Mugsy's Place
S. Manners	Westinghouse Canada Inc.
J. Hilger	Ways to Wisdom
J. Howard	Econ-o-wash Laundry
P. Nusca	Nusca Custom Tailors Ltd.
M. Tollis	Riviera Banquet Centre
N. LaSala	Nick's Auto Service
R. Palmese	Palmese Photodesign Group Inc.

3. By-law No. 98-042 is hereby repealed in its entirety.
4. In all other respects, By-law No. 87-308, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

(1998) 3 R.P.D.C. 7, February 10

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Authorize:

A MUNICIPAL CAPITAL FACILITY AGREEMENT WITH THE
HAMILTON EAST KIWANIS BOYS' AND GIRLS' CLUB INC.

WHEREAS The Hamilton East Kiwanis Club Inc. operates the Boys' and Girls' Club, located at 45 Ellis Avenue, Hamilton, which is a Municipal Community Centre for the City of Hamilton;

AND WHEREAS the City owns 45 Ellis Avenue, Hamilton;

AND WHEREAS Section 210.1 of the Municipal Act, authorizes a Council to enter into agreements for the provision of municipal capital facilities by any person and to exempt from taxation for municipal and school purposes the land, or a portion of it, on which municipal capital facilities are, or will be, located;

AND WHEREAS Section 207.58 of the Municipal Act authorizes a municipality to own, operate and maintain a Community Centre;

AND WHEREAS Ontario Regulation 46/94, as amended by Ontario Regulation 437/96, authorizes municipal capital facility agreements and tax exemptions for the operation of a Municipal Community Centre;

AND WHEREAS the City and The Hamilton East Kiwanis Boys' and Girls' Club Inc. have proposed to enter into an Agreement to operate a Municipal Capital Facility at 45 Ellis Avenue, Hamilton;

AND WHEREAS Council, on January 27, 1998, in adopting Section 20 of the 3rd Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Corporation of the City of Hamilton may enter into an agreement with The Hamilton East Kiwanis Boys' and Girls' Club Inc. for the provision, management and maintenance of the municipal capital facility located at 45 Ellis Avenue, Hamilton, Ontario.
2. The municipal capital facility, located at 45 Ellis Avenue, Hamilton, and operated by The Hamilton East Kiwanis Boys' and Girls' Club Inc. is for the purposes of the Municipality and is for a public use.
3. The Clerk shall give written Notice of this By-law to the Minister of Education and Training.

PASSED this *24th* day of *February* 1998.

CITY CLERK

MAYOR

BY-LAW NO. 98 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 24th DAY OF FEBRUARY, 1998.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 24th day of February 1998

CITY CLERK

MAYOR



URBAN MUNICIPAL

FEB 27 1998

1998 February 25

GOVERNMENT DOCUMENTS

REVISED

Note change in time from 10:00 a.m. to 9:30 a.m.

NOTICE OF MEETING

COMMITTEE OF THE WHOLE/CITY COUNCIL

Friday, 1998 February 27

9:30 a.m.

Room 233, City Hall

J. J. Schatz
City Clerk

AGENDA

1. Mayor R. M. Morrow - Introductory Remarks
2. Meet with the Regional Administrative Structure and Best Practices Steering Committee to review the "Discussion Paper" previously distributed.
3. Referral from City Council - First Report of His Worship Mayor R. M. Morrow
4. Personnel Matter - In-camera (Mayor Morrow) - no copy
5. Property Negotiations - McDonald Marine Services (In-camera) - no copy
6. Adjournment

c.c. J. Pavelka, Chief Administrative Officer
Department Heads

3.

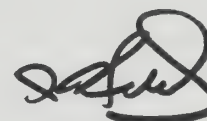
OFFICE OF THE CITY CLERK

MEMORANDUM

TO:	Committee of the Whole	YOUR FILE:
FROM:	Mr. J. J. Schatz City Clerk	OUR FILE: PHONE: 546-2727
SUBJECT:	Referral from City Council - Mayor's First Report	DATE: 1998 February 25

Please be advised that City Council at its meeting held Tuesday, 1998 February 24th, referred the First Report for 1998 of His Worship Mayor Robert M. Morrow to the Committee of the Whole meeting scheduled for Friday, 1998 February 27th.

Attached herewith is a copy of this Report for the Committee's consideration.



REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **FIRST** Report for 1998 and respectfully recommends:

1. That City Council endorse the amended Policy Guidelines and Associated Procedures for the Mayor's Committee Against Racism and Discrimination, attached hereto as Appendix "A", which provides for the following significant changes:
 - (a) The merger of the Committee and its Advisory Council to form one Committee; and,
 - (b) The reduction in the size of the Committee; and,
 - (c) The Committee structure will include the Mayor as the Honourary Chairperson, two Aldermanic members, one of whom will be appointed by the Mayor as a Co-Chairperson, and, the election of a citizen Co-Chairperson from the seven citizen members. The Co-Chairpersons shall alternate presiding over the meetings and activities of the Committee in the absence of the Mayor; and,
2. That the Policy Guidelines and Associated Procedures become effective immediately upon adoption by the City Council.

Respectfully submitted

**ROBERT M. MORROW
MAYOR**

**Debbie-Ann Rashford, Secretary
1998 February 20**

**POLICY GUIDELINES AND ASSOCIATED PROCEDURES
FOR THE CITY OF HAMILTON'S
MAYOR'S COMMITTEE AGAINST RACISM AND DISCRIMINATION**

THE HAMILTON MAYOR'S COMMITTEE AGAINST RACISM AND DISCRIMINATION

A Committee of City Council Will Deal With Issues Relating to Racism and Discrimination

1. The Hamilton Mayor's Committee Against Racism and Discrimination will hereafter be called "The Committee".
2. The Committee will consist of **seven** citizen members. The Committee will also include the Mayor and two Aldermen. **[total 10]**
3. The Committee should strive to be reflective of the diversity in the community.
4. The Committee shall conduct monthly meetings excluding the months of July, August and December, at dates and times to be determined, or at the call of the Chair.
5. The Mayor will be the Honourary Chairperson (hereafter referred to as "Chairperson") of the Committee and will appoint one of the Aldermanic members to be a Co-Chairperson. The Committee members will elect a Co-Chairperson from the citizen members. The Co-Chairpersons shall alternate presiding over meetings and activities of the Committee in the absence of the Mayor.
6. The Committee will recommend seminars and programmes for the development of its members.
7. The Committee Secretary, a Legislative Assistant appointed by the Clerk's Office, will be responsible for attending and recording regularly scheduled meetings.
8. The Committee will be responsible for financial, media, mediation, membership, and public awareness issues, to be dealt with at the regularly scheduled meetings.
9. The Committee may strike any Ad Hoc Committee for a special project, event or issue as (if) the need arises.
10. Non-voting resource persons from the following list shall be invited to attend the meetings of the Committee:
 - City and Region - Human Resources Department
 - The Corporation of the City of Hamilton - Union Representative
 - Hamilton-Wentworth Regional Police

- Hamilton-Wentworth District School Board
- Hamilton-Wentworth Catholic District School Board
- Hamilton & District Labour Council
- Council of Churches
- Ontario Anti-Racism Secretariat

Other resource persons as may be required will be invited to attend as well.

TERMS OF REFERENCE

The Mayor's Committee Against Racism and Discrimination recognizes that the inherent dignity and the equal inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world and is in accord with the Universal Declaration of Human Rights as proclaimed by the United Nations.

And, since it is public policy in Ontario to recognize the dignity and worth of every person and to provide for equal rights and opportunities without discrimination that is contrary to law, and having as its aim the creation of a climate of understanding and mutual respect for the dignity and worth of each person so that each person feels a part of the community and able to contribute fully to the development and well-being of the community. These principles have been confirmed in Ontario by a number of enactments of the Legislature and it is desirable to revise and extend the protection of human rights.

Therefore, it shall be the duty of the Mayor's Committee Against Racism and Discrimination to:

1. Advise and consult with the Mayor and to report to City Council, on relevant issues relating to anti-racism and anti-discrimination in the community of Hamilton and area.
2. To outreach to Native Communities in an effort to learn, understand, respect and convey the special status of Native peoples (Aboriginal of this Country), as well as their rights, whether it be Aboriginal or Treaty.
3. To work actively with the Hamilton-Wentworth Regional Police Services, the Hamilton-Wentworth District and Catholic District School Boards, and other relevant organizations and institutions to foster a spirit of mutual understanding of issues pertaining to racism and discrimination.
4. Encourage every person, regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability, to engage in programmes for the improvement of community relations and the fulfilment of Human Rights.
5. Initiate and facilitate discussions between individuals and/or groups to lessen tensions and promote understanding in the community.
6. Receive, review, facilitate and offer assistance to complainants as required on matters of tension, prejudice, racism and practices of discrimination.
7. Make recommendations to the Municipality on issues relating to Employment Equity as well as issues promoting Anti-Racism and Anti-Discrimination.

SELECTION OF MEMBERS TO COMMITTEE

1. Application for membership to the Committee will be invited by advertisement in the local media and letters sent to minority and community organizations in the Hamilton area requesting their interested members to apply for membership on the Committee.
2. Criteria for selection of members for the Committee will be primarily the applicant's involvement in and commitment to combatting racism and discrimination within the community. The Committee complement should be representative of the various groups within the community.
3. The Selection Committee will consist of the Committee Chairperson, past citizen Co-Chairperson, and two Aldermen. A quorum of three members is required for the Selection Committee.
4. The Mayor will call the first meeting of the Committee in January. At this first meeting, members will select the citizen Co-Chairperson by secret ballot.
5. The names of those selected will be presented to City Council at the next scheduled meeting.
6. Members are expected to attend all meetings on a regular basis. Members who are absent from **two** consecutive meetings without due cause, will be advised in writing that they shall cease to be a member.

CONDUCT OF BUSINESS IN THE COMMITTEE

1. The Chairperson, or in the absence of the Chairperson a Co-Chairperson, shall preside and shall have a vote on all questions submitted. In case of an equal division the question shall be decided in the negative.
2. A quorum shall consist of 6 Committee members.
3. Excluding the months of July, August and December, the Committee shall conduct monthly meetings, at dates and times yet to be determined.
4. Special meetings may be arranged at the call of the Chairperson. Special meetings may also be requested by a minimum of six Committee members, upon the provision of one weeks notice.
5. Annually, in October the Committee shall determine its projects e.g. dinners, workshops, manuals, for the new year in order to plan the agenda and calculate budget requirements.
6. Expenditures exceeding \$50.00 must be approved by the Committee.
7. Attendance at conferences, workshops, seminars etc. shall not be limited solely to the Co-Chairpersons.
8. It will be necessary for a member who has attended a conference, workshop, or seminar on behalf of the Committee, to prepare a written report on the event, and present the report at the next regularly scheduled meeting.

APPLICATION PROCESS

Citizen members will be selected on the basis of experience, awareness of anti-racism policies, membership in native groups, various Hamilton community groups or agencies serving the needs of such groups.

City Council encourages the submission of applications by individuals who may be considered for appointment to the Committee. Submission should include a biographical note including his/her qualifications and experience as well as an indication of the nominees' willingness to serve.

Applications should be forwarded to the City Clerk's Department, Membership, Mayor's Committee Against Racism and Discrimination, City Hall, 71 Main Street West, Hamilton, ON. L8P 4Y5

URBAN/MUNICIPAL

CAY ON HBL A05

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1998



Ken Roberts
Chief Executive Officer
Hamilton Public Library

1998 February 19

URBAN MUNICIPAL

FEB 23 1998

REVISED

GOVERNMENT DOCUMENTS

NOTICE OF MEETING

COMMITTEE OF THE WHOLE/CITY COUNCIL

Friday, 1998 February 27

10:00 a.m.

Room 233, City Hall

J. J. Schatz
City Clerk

The purpose of this meeting:

- (1) Meet with the Regional Administrative Structure and Best Practices Steering Committee to review the "Discussion Paper" previously distributed.
- (2) Personnel Matter - In-camera (Mayor Morrow)

c.c. J. Pavelka, Chief Administrative Officer
Department Heads



Ken Roberts
Chief Executive Officer
Hamilton Public Library

3rd.

1998 February 19

NOTICE OF MEETING

COMMITTEE OF THE WHOLE/CITY COUNCIL

Friday, 1998 February 27

10:00 a.m.

Room 233, City Hall

J. J. Schatz
City Clerk

The purpose of this meeting is to meet with the Regional Administrative Structure and Best Practices Steering Committee to review the "Discussion Paper" previously distributed.

c.c. J. Pavelka, Chief Administrative Officer
Department Heads

Working Timetable for Administrative Structure and Best Practices Steering Committee

Jan 20/98	Approval of Terms of Reference by Regional Council.
Jan 21-Feb 03/98	ABP Steering Committee to meet with each member Council to solicit their comments.
Feb 04/98	ABP Steering Committee to review comments from each member Council.
Feb 05-12/98	Research and develop "Collaborative Agreement Principles and Direction".
Feb 19/98	ABP Steering Committee to distribute "Collaborative Agreement Principles and Direction" Discussion Paper to all Councils.
Feb 23-Mar 05/98	ABP Steering Committee to meet with each member Council to solicit reaction and comments on "Collaborative Agreement Principles and Direction" Discussion Paper. At the discretion of each member Council, public submissions will be entertained.
Mar 13/98	Deadline for receipt of submissions re: Discussion Paper.
Mar 16-20/98	ABP Steering Committee will prepare revised (if necessary) "Collaborative Agreement Principles and Direction" and distribute to member Councils and Regional Council for consideration and comments.
Mar 27/98	Deadline for submissions from member Councils and the public.
Apr 07/98	"Collaborative Agreement Principles and Direction" submitted to Regional Council for approval.
Apr 08-May 01/98	Working documents will be prepared to support "Collaborative Agreement Principles and Direction". Best Practices Sub-Committee may be involved at this point.
May 06/98	Draft "Collaborative Agreement" will be distributed to member Councils and Regional Council for consideration and comments.
May 22/98	Deadline for submissions from member Councils and the public.
June 02/98	"Collaborative Agreement" submitted to Regional Council for approval.
by June 12	All Councils sign onto "Collaborative Agreement" and is formally submitted to the Minister of Municipal Affairs and Housing as our local solution.

February 18, 1998

Members of Regional and Area Municipal Councils

On December 18, 1997, Hamilton-Wentworth Regional Council unanimously approved the formation of the Administrative Structure and Best Practices Steering Committee in response to the tremendous fiscal challenges facing Hamilton-Wentworth municipal governments and all taxpayers. The Steering Committee was charged with the responsibility of studying these challenges and putting forward recommendations on how they might be mitigated through restructuring and best practices.

To assist in this regard, members of the Steering Committee met with and solicited input from each Area Municipal Council in Hamilton-Wentworth during the last part of January and early February, 1998. At the conclusion of every meeting, the Steering Committee assured all members of each municipal council that a discussion paper outlining a possible framework for a collaborative agreement on municipal restructuring based on feedback received, would be forthcoming. Attached for the review and consideration of each municipality is such a discussion paper.

We have sought to discharge our responsibilities to the best of our ability. As stated in the Discussion Paper, these proposals do not pretend to represent ideal solutions, nor to meet all the objectives of all participants, including each member of the Steering Committee. They do reflect, however, a search for reasonable and workable compromises. We believe the proposals provide the starting point for discussion, and define the room within which a collaborative agreement can be achieved.

The Steering Committee will be requesting an invitation to meet, once more, with each Area Municipal Council, during the week of February 23, 1998, to receive feedback on the proposed framework. We look forward to these exchanges.

Respectfully submitted,

Anne Bain, Mayor, City of Stoney Creek
Robert Morrow, Mayor, City of Hamilton
Robert Wade, Mayor, Town of Ancaster
Bob Charters, Regional Councillor and Alderman, City of Hamilton
Russ Powers, Regional Councillor and Deputy Mayor, Town of Dundas
Dave Wilson, Regional Councillor and Alderman, City of Hamilton
Terry Cooke, Chairman, Regional Municipality of Hamilton-Wentworth

cc: Regional and Area Municipal CAOs

A Proposed Framework for Municipal Restructuring in Hamilton-Wentworth

- HIGHLIGHTS -

February 18, 1998

Prepared for consideration of Hamilton-Wentworth Regional Council by its Administrative Structure & Best Practices Steering Committee, following consultation with the City, Town and Township Councils of Hamilton-Wentworth

What We Aim To Do ...

- ⇒ Respond to the fiscal and economic challenges facing Hamilton-Wentworth municipal governments and taxpayers
- ⇒ Achieve savings through Restructuring and Best Practices, rather than through slashing programs and quality of life
- ⇒ Produce \$25 million reduction in the net operating costs of municipalities and utilities

Seven Guiding Principles

- A. Promote Local Decisions on Community Standards and Neighbourhood Quality Issues
- B. Promote savings to the taxpayer through economies-of-scale and technological advances
- C. Promote a single "Common Market" for all activities regulated by Municipal Government
- D. Promote a "One Window" municipal government environment for those common municipal services applicable to all residents
- E. Promote integration in "utility"-type services, for sustainable development and efficiency
- F. Promote accountability in local government
- G. Promote a common Social and Physical Infrastructure supported and accessible by all residents

A VISION of a Restructured Municipal Government System in Hamilton-Wentworth

- ◆ Municipal government in Hamilton-Wentworth will be smaller and more efficient, with a single Administration being formed through merger of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth. Over time, a New City – "the Metropolitan City of Hamilton" or "the City of Metropolitan Hamilton" – would replace the Regional Municipality and the Corporation of the City of Hamilton, with a Council and Mayor elected from across the region.

- ◆ Suburban municipalities would retain their elected local councils, their charters and their corporate status.
- ◆ For the customer and client of municipal government services, Hamilton-Wentworth would be a "wired" municipal government geared to the 21st Century.
- ◆ The method of delivering municipal services will be determined by the test of competitive price, quality and effectiveness
- ◆ There will be greater clarity and more accountability in municipal government in Hamilton-Wentworth.

A Restructuring Proposal

Based on this vision and these principles, the Steering Committee recommends the following package of reforms to the structure and administration of municipal and utility operations within Hamilton-Wentworth.

1.0 One Central Administration

- 1.1 The Steering Committee is recommending that Regional Council make a request for the Legislature of Ontario to repeal the Regional Municipality of Hamilton-Wentworth Act, and to replace it with a new Act governing local government in Hamilton-Wentworth. The Act and any implementing Regulations, Orders and transitional Provincial grants should have the ingredients listed below.
- 1.2 Effective July 1, 1998, all municipal employees under the direct jurisdiction of the Regional Council or the Hamilton City Council would be considered a single labour force, and administered by a single senior management group, reporting administratively to the Finance & Administration Committee of Hamilton City Council and to the Finance & Administrative Services Committee of Regional Council. Between July 1, 1998 and January 1, 2001, the single senior management group of the Regional Municipality and the City of Hamilton would develop an administrative and organizational structure suitable to support a New Municipality and to meet the savings targets established by the councils.
- 1.3 On January 1, 2001, the Regional Municipality of Hamilton-Wentworth and the Corporation of the City of Hamilton would be merged, and their assets and liabilities vested in a new municipality, governed by a single council, with the Mayor of the New Municipality elected at large from across Hamilton-Wentworth. The new council would take office on December 1, 2000, to allow the new Council a month to adopt formally the new municipal structure. The Steering Committee's mandate precluded it from addressing the issue of elected representation, with the exception of the elimination of the elected position of

Regional Chairman by virtue of the merger of Regional and City of Hamilton Councils.

- 1.4 The New Municipality would be a "city" municipality for purposes of statute and the Steering Committee recommends the name "The Corporation of the Metropolitan City of Hamilton" or "The Corporation of the City of Metropolitan Hamilton".
- 1.5 On January 1, 2001, the employees of the Regional Municipality and the City of Hamilton, including police and Hamilton Street Railway, would become employees of the New Municipality, without any severance entitlement and with the continuation of their pooled union and non-union seniority, their collective rights and the appropriate bargaining agents. To the extent that any employees of the suburban municipalities are transferred or displaced directly as a result of the restructuring and service alignment process, they should be treated in a like manner to the employees of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- 1.6 Effective January 1, 2001, all existing municipal hydro utilities would be consolidated under the New Municipality council, with their work forces being incorporated into the work force of the New Municipality, under the same terms and conditions that apply to City of Hamilton and Regional Municipality employees. A Metropolitan Hamilton Hydro Commission (reporting to the New City Council) would be appointed by the New City Council from among its members, including all Mayors or their delegates.
- 1.7 On January 1, 2001, the City of Stoney Creek, the Towns of Ancaster, Dundas and Flamborough and the Township of Glanbrook, would be continued, with elected municipal councils and their existing boundaries.

2.0 Local Service Rates

- 2.1 With the exception of services to be financed from the Local Services Rate, all taxpayers within Hamilton-Wentworth would pay the same municipal "General Services Rate" for all common municipal services, based on their current value assessment. In addition, each municipal council would impose a "Local Services Rate", with proceeds of the "Local Services Rate" being retained by the New City Council for properties in the present city of Hamilton. In the case of the suburban municipalities, the proceeds of the "Local Services Rate" would be forwarded by the New Municipality to the individual suburban municipalities to fund local services under their respective jurisdictions, with the option to levy more or less than the rate imposed by the New City Council on ratepayers in the former city of Hamilton.
- 2.2 Irrespective of the general provisions of the proposed new Municipal Act, the powers of the suburban municipalities would be specifically listed in the New Municipality Act, and all "residual" municipal powers would vest in the council of

the New Municipality, but could be delegated to one or more suburban councils, with their concurrence.

- 2.3 Each suburban municipality would adopt an annual municipal budget and set a "Local Services Rate". The suburban municipality tax levy would be collected and remitted to the suburban municipality by the New City. The responsibility to set tax policy, to levy, to bill and collect municipal taxes and to administer the assessment appeal process within Hamilton-Wentworth would be the responsibility of the New Municipality, or its agent. A formula would be devised to govern any transfer of functions between the General Services Rate and the Local Services Rate.
- 2.4 The Province would be requested to transfer responsibility for administering the assessment function to the New Municipality.

3.0 Reassigning Functions

- 3.1 A possible basis of allocating responsibilities is outlined in **Appendix B and C**
- 3.2 To create and sustain a common business environment and a single commercial trading area that will maximize the competitive impact of all the communities within Hamilton-Wentworth, all licensing and regulatory functions, along with the formation of taxation policy, would be "central" responsibilities.
- 3.3 As part of promoting a "one window" environment, without duplication and capable of improving the economic climate for job creation and investment, engineering standards related to both infrastructure and development, would rest with the central authority.
- 3.4 In accordance with the established Cumming principle, assets and liabilities, such as reserve funds, buildings and "earmarked" revenues, should be retained to benefit the taxpayers who created them, where appropriate.

4.0 Priority Projects

- 4.1 The Steering Committee has identified a number of service areas that would benefit from an immediate study to determine the most appropriate decision-making model and manner of service delivery.
- 4.2 **Emergency Services** (Fire, Ambulance & related Transportation) – to study and make recommendations on cross-boundary emergency service issues, including emergency and non-emergency patient transportation services.
- 4.3 **Human Resources** – to study the feasibility of a region-wide human resource function, including a centralized labour relations function, similar to that in the Greater Vancouver Regional District.

- 4.4 **Information Systems** – to develop a plan for integrating computer systems, including technology, to serve a “one window” capacity across the New City.

5.0 Implementation Measures

- 5.1 The Steering Committee is also recommending that a standstill provision, along with a hiring moratorium, be implemented immediately and kept in place during the period of transition to ensure the prudent management of resources and to ensure the equitable and fair treatment of municipal public servants. The “standstill” provision would respect existing contractual and similar commitments, and the “hiring moratorium” should provide for exemptions and for redeployment. Initiatives within existing municipalities should proceed only where they are consistent with these recommendations.
- 5.2 The Administrative Structure and Best Practices Steering Committee should remain engaged in the process of reform by assuming responsibility for the implementation process.

Appendix B

FUNCTION	PROVINCE	CENTRAL/ NEW CITY COUNCIL	SUBURBAN/ LOCAL SERVICES RATE
GENERAL GOVERNMENT	Assessment	Tax Policy; Tax Billing; Debt; Investments; Computer systems & information technology; centralized labour relations; human resources services ¹ ; Facilities management, fleet management, etc. ² ; Commercial licensing & regulation (including adult entertainment establishments) Purchasing ³	Local Budgets; Local Services mill rates; Administrative co- ordination (CAO or equivalent); Clerks; Customer Service (including bill payments); Community standards regulation;
PUBLIC SAFETY		Police; Fire prevention; emergency dispatch; Provincial offences admin.; Emergency preparedness; street naming	Fire suppression ⁴ ; Animal control
TRANSPORTATION	Ambulance dispatch;	Public transit; Traffic systems and engineering; Disabled transit; Taxi licensing; Non- emergency ambulance; parking facilities; bikeways	local parking, speed limits, stop signs; streetlighting
ENVIRONMENT		Storm drainage & storm-water management; Conservation authorities; Sanitary; Water; Solid Waste - collection & disposal; environmental assessments	Subdivision inspections and connection permits
HEALTH	Mandatory Progs; hospital finance	Public Health; Emergency ambulance; approvals for private servicing	
SOCIAL SERVICES	Mandatory Progs; Homes standards & capital	Income support; Homes (operation); Social housing; Day care	

FUNCTION	PROVINCE	CENTRAL/ NEW CITY COUNCIL	SUBURBAN/ LOCAL SERVICES RATE
RECREATION & CULTURE	Royal Botanical Gardens	Regional parks; HECFI & heritage properties ⁵	Recreation progs; local parks; cemeteries; public libraries
PLANNING	Provincial policies	Provincial policy statement implementation; overall growth management; infrastructure planning and engineering ⁶ , finance and phasing (cap. budget & dev. controls); standard subdivision agreement and development procedures; subdivision/condo/part-lot approvals; official plans; land- severance policies	Building code; local zoning; neighbourhood plans; site plans; minor variances; commercial signage; property standards; subdivision administration
PUBLIC UTILITIES	Ontario Hydro; Energy Board	Retail electricity; meter- reading; right-of-way mtce.; gas franchise	customer collections
ECONOMIC DEVELOPMENT	Harbour Commission (Govt of Canada)	Economic development; Harbour; airport contract administration; tourism & commercial issues	BIAs/local commerce promotion

¹ Human resources have been identified as an immediate area of study.

² Centralized strategic planning and budgeting of facilities and fleet management can enhance the value of owned, operating and leased facilities and fleets, making them more responsive to cost reduction strategies, workplace efficiency and productivity improvement strategies and technological improvement strategies.

Typically, a corporation's facilities represent one of the three largest investments it will make; the other two are human resources and technology. It follows that the size, location, design, function, financial status and financing of these assets will affect overall costs. This centralized approach to facilities and fleet management can also help realize benefits available from: bulk purchasing, consolidated lease negotiations, and joint maintenance contracts and cleaning contracts. The deployment of staff – or the delivery of the service – can be decentralized. There are numerous private and public sector case studies to support this recommendation.

³ Purchasing is a "central" responsibility and it is recommended that a public consortium be formed that would see the New City cooperate with school boards and hospitals to gain efficiencies in purchasing.

⁴ Fire and ambulance services have been identified as items for immediate study. Fire prevention and emergency dispatch are "central" responsibilities.

⁵ On the subject of HECFI and heritage properties, the Steering Committee was unable to reach agreement.

⁶ The Steering Committee is recommending a "single engineer" to manage engineering standards at the "central" authority to support the goal of uniformity in standardization deemed necessary to avoid duplication and inconsistency, and to promote "one window" service delivery

Appendix C

ROADS				RELATED FUNCTIONS
Road Classification	Local Roads	Non-highway Regional Roads	Regional Highways	Engineering for Subdivisions and Development Standards
	<i>Including 40% of Regional roads to be transferred to Area Municipalities</i>	<i>Balance of existing Regional road network</i>	<i>The Linc; most former Provincial highways – e.g. Hwy. 5</i>	
Design	Local Responsibility > Local Services Rate	Central Responsibility > General Services Rate	Central Responsibility > General Services Rate	Central Responsibility
Engineering	Local > Local Services Rate	Central > General Services Rate	Central > General Services Rate	Central
Construction	Local > Local Services Rate	Central > General Services Rate	Central > General Services Rate	Central responsibility for standards (Local responsibility for compliance inspections?)
Maintenance	Local > Local Services Rate	Local Responsibility > Local Services Rate	Central (contracted to Suburb or private contractor) > General Services Rate	(Local responsibility for inspections?)

A Proposed Framework for Municipal Restructuring in Hamilton-Wentworth

February 18, 1998

A Discussion Paper prepared for consideration of Hamilton-Wentworth Regional Council by its Administrative Structure and Best Practices Steering Committee, following consultation with the City, Town and Township Councils of Hamilton-Wentworth

Introduction and Preamble

This Discussion Paper has been prepared to focus public debate and to form the basis of an agreement on municipal restructuring in Hamilton-Wentworth. It reflects a desire to bring closure to the long running political and community discussion about local government reform in Hamilton-Wentworth. It is also timed to propose answers that will respond to the unprecedented fiscal and economic challenges facing Hamilton-Wentworth communities.

These proposals do not pretend to represent ideal solutions, nor to meet all the objectives of each participant. They do reflect, however, a search for workable compromises. They also reflect an effort to achieve a scale of reform that will meet the minimum criteria specified by the Province and, at the same time, to avoid a fundamental reopening of this divisive issue for several council terms. While the term "restructuring" has many meanings in the context of municipal reform, this Discussion Paper attempts to focus the restructuring emphasis on those changes that will lead to the greatest savings to taxpayers and to significant improvements in the performance of Hamilton-Wentworth's local government institutions, as seen from the vantage-point of the citizen and the "customer".

What are the minimum requirements?

The fiscal impacts of Downloading are well documented, but the willingness of communities to shoulder these added burdens and to make difficult choices has not been tested. If municipal services can be maintained through elimination of duplication and lower-cost service-delivery, some of the impact can be absorbed without damage to our quality of life, our traditions and democratic rights, and our economic competitiveness. "Restructuring" and "Best Practices" offer this prospect, but likely at the expense of the traditional way of doing public business in Hamilton-Wentworth. The test will be whether municipal employees, municipal management, public sector unions, council members and other officials involved in serving municipal customers are prepared to take the necessary steps to restructure municipal government institutions and operations.

Based on the initial round of consultations conducted by the Administrative Structure & Best Practices Steering Committee, municipal councils have indicated a willingness to undertake the needed steps, provided certain conditions can be respected in the final agreement.

Council members insist on better customer service from all local governments across the region, taking advantage of the opportunities made possible by new technology and by standardizing processes.

Suburban councillors have also said clearly that we must preserve the institution of effective, democratically elected municipal government as a focus for local community activities and identity.

From all sides, there has also come a clear message that bigger is not necessarily better, cheaper or more efficient, but economies of scale, where they can be proven, should be realized.

All agree on the need to preserve a mutually supportive social environment (public health, social housing, social services, cultural and health-care institutions), to foster a common "business supportive" trading area to promote employment and investment, and to take a more integrated approach to the planning, financing and delivery of "utility"-type services across Hamilton-Wentworth, in the interests of efficiency and cost-reductions.

**The Roles of
Local
Government:**

**Segregating
Governance
from
Service-Delivery**

The proposed new Municipal Act will recognize that municipalities are both governments and service-providers. As a "service-provider", a municipal corporation will be designated a "natural person" in law, giving it the same freedom to organize and act that a private corporation delivering services would enjoy. As a "government", however, the municipal council would continue to have powers to compel, to regulate, to exercise monopolies and to tax.

In any discussion of local government reform within Hamilton-Wentworth, we must distinguish between the "governmental" responsibility to make policy, to legislate and to impose taxes, and the "service provider" responsibility to deliver a variety of services to the community, whether directly or under contract. Much of the friction and duplication in the present two-tier municipal structure across Ontario relates to the inevitable tensions created when two municipal corporations (one local, one regional) try to operate in the same sphere of responsibility, or where costs are shifted back and forth between two local governments supported by the same property taxpayer, or where municipal functions are fragmented and too narrowly focused.

Any municipal reform must aim to eliminate, as much as possible, the "non-value-added" transactions and the sterile bureaucratic competition that comes from confused jurisdiction and artificial barriers to the most efficient marshalling of scarce human, material and financial resources.

The other important feature of such a "disentanglement" is to keep clear who makes policy decisions and who delivers services, and to recognize that, in some situations, those two responsibilities can be handled separately by two decision-making bodies. The body that does the best job of delivering the service may not be the body that does the best job of setting the policy framework, or making the legislative rules, or weighing the financial or community consequences (such as integrating the various components of transportation).

Seven Guiding Principles

Based on the initial round of discussions and on the rationale outlined above, we propose several operating principles to guide our municipal reform efforts:

A. Promote Local Decisions on Community Standards and Neighbourhood Quality Issues

Many of the important decisions about the character and identity of a local community are related to issues that have limited financial significance, but which engage the community in important and thoughtful debates about the values and community standards by which a community defines itself. Local decision-making and local financial responsibility must be preserved for those kinds of decisions, both "governmental" decisions and program-content decisions.

B. Promote savings to the taxpayer through economies-of-scale and technological advances

The effect of Downloading suggests that economies-of-scale and the use of technology will be part of any serious effort to reduce costs to the taxpayer. In the area of public works and public utilities activities, for example, there are historic but largely artificial barriers to more efficient organization and deployment of resources.

C. Promote a single "Common Market" for all activities regulated by Municipal Government

The economic health of all the communities within the region depends on creating a positive climate for business investment and employment: a business climate that avoids over-regulation and other administrative practices which add to the cost of doing business in our economic region. Those added costs are, of course, inevitably passed along to the local consumer or make the price of our goods and services less competitive.

D. Promote a "One Window" municipal government environment for those common municipal services applicable to all residents

The "genius" of local government is its ability to serve local communities in an accessible, non-bureaucratic fashion, both in its "governmental" role and in its service-delivery role. As local government necessarily becomes more complex to serve an increasingly mobile and complex society, we should take steps to protect that "customer service" trademark. To do so, however, we must take advantage of advances in technology, standardization of processes and the elimination of human and geographic barriers to direct, quality service.

E. Promote integration in "utility"-type services, for sustainable development and efficiency

Planning sustainable urban growth and avoiding urban "sprawl" depends on an integrated approach to planning, installing, financing and delivering the full range of "utility"-type infrastructure (from transportation and storm-drainage, to water, waste-water and hydro-electricity services). These utility-type services should be centrally co-ordinated and administered, including hydro-utilities.

This integration is also one of the key ingredients in achieving potential restructuring savings. It must be complemented by moving away from unsustainable patterns of urban development and by withdrawing from the practice of industrial land banking, both of which contribute to the costly, inefficient use of municipal infrastructure.

F. Promote accountability in local government

Clarifying accountability will be a key ingredient in making the system of service-delivery more efficient. We have all heard the criticism leveled at the existing municipal system's tendency to shift costs and to deflect responsibility for decision-making. Any municipal reforms should spell-out responsibilities in a way that promotes clear accountability in local government.

G. Promote a common Social and Physical Infrastructure supported and accessible by all residents

The failure of American metropolitan areas has been the abandoning of the central city by the suburbs, making it impossible to fund necessary infrastructure investments and social reinvestment. Any municipal reform should ensure that the social and physical infrastructure and assets of the region are supported and enjoyed without distinction by all residents and businesses within the region.

**Local versus
Central**

In considering local government reform, it is important to move beyond traditional institutional frameworks. In fact, it may be useful to move outside the Ontario context in searching for solutions to the challenges of local government reform. The principle proposed by the Flamborough Town Council in its January 29, 1998 submission to the Steering Committee is especially relevant here...

"Encourage fact finding from other jurisdictions, even if it costs money. It will be necessary to develop a knowledge base of best practices and successful solutions to the problem solving in other jurisdictions."

As a point of departure, it might be useful to discard the notion of "regional". The choices being debated are, for the most part, a discussion of decentralization versus centralization, and reconciling suburban and rural interests with those of urban residents.

In this Discussion Paper, we will avoid using the terms Area Municipality, or Regional Municipality. In practice, we must focus on the questions facing any major business enterprise: the trade-off between the efficiency of centralized economies of scale and specialized resources, and the customer-service responsiveness and operational flexibility inherent in decentralized activities. For these purposes, we will employ the term "Central" to denote decisions or services that should be provided on a common, central basis, and "Local" to denote those decisions or services that should be provided by a suburban municipal government or paid-for within the present City of Hamilton through an "area rate".

**Compulsory
versus
Discretionary**

One of the issues identified in the initial consultation with the municipal councils relates to the degree of discretion that will be afforded municipal councils. It was generally accepted that some functions necessarily involved "compulsory" region-wide participation, while others might be offered as optional. There was also a desire to preserve some functions as essential to the continuing relevance and vitality of suburban local governments.

**What is meant
by "best
practices"?**

As part of its mandate, the Steering Committee is to develop an approach to the identification and adoption of "best practices". In its resolution establishing the Steering Committee, Regional Council directed the Regional CAO to develop a set of terms of reference for the Steering Committee to deal with its best practices mandate (which represents the next phase of the Steering Committee's work).

One useful definition of "best practices" is offered by the Fletcher Challenge Petroleum Corporation:

"Management practices and work processes that lead to world-class, superior performance."

While best practices can and should be drawn from both the private sector and the public sector, one of the leading municipal exponents of municipal best practices is the City of Indianapolis. However, the Indianapolis experience highlights the need to carry-out a search and implementation of best practices in a fashion that ensures objective analysis and in the case of dispute, some impartial mechanism for adjudicating competing claims about the merit, cost, fairness or non-financial implications of a "best practices" proposal.

Why Re-invent the Wheel? Searching for Precedents

The desire to centralize decision-making authority over those things of importance to a central urban community, while respecting the desire of suburban communities for autonomy and distinctive status is not new, nor is it peculiar to Ontario. In Ontario, however, the tension between these two objectives has only had two traditional responses: annexation and consolidation, with the New City of Toronto being the most recent example; or the conventional, two-tiered regional government structure. In Ontario terms, there are no precedents for the middle ground between these two forms of government.

There are, however, successful American experiments that have balanced these competing objectives by finding the middle ground between full amalgamation and two-tiered regional governments. Two such experiments – Nashville/Davidson County and Indianapolis/Marion County - are documented in **Appendix A**. In both cases, very successful municipal government systems have emerged by using what might be termed a "city-within-a-city" model. By merging the central city with the region-wide county authority, while preserving elected municipal governments in several suburban "cities" within the larger municipality, the metropolitan community has prospered, but not at the expense of suburban interests.

Restructuring and Taxpayer Savings

Based on the experience of other municipalities and the private sector, the Steering Committee believes that its restructuring proposals could lead to reducing municipal and utility operating costs by a minimum of \$25 million, provided they are applied to all municipal and utility operations within Hamilton-Wentworth. Since a significant proportion of the budgets of the seven municipal governments within Hamilton-Wentworth are directly or indirectly related to the size of the payroll, any significant reductions in the operating budget (due to restructuring and related "best practices") will likely be seen in the form of reduced numbers of municipal employees.

Together, the Regional Municipality and the City of Hamilton account for close to 70 percent of the total municipal workforce in Hamilton-Wentworth. Their merger constitutes the greatest opportunity for payroll savings. Since over 1500 of these municipal employees are potentially eligible for early retirement, it is the Steering Committee's hope that much of the downsizing associated with restructuring savings can be achieved through early retirements and voluntary

**A Vision of a
Restructured
Municipal
Government
system in
Hamilton-
Wentworth**

severances. Ultimately, however, some involuntary layoffs may be necessary to achieve the \$25 million goal.

Severance is one of the major costs associated with private-sector restructuring, and the same is true for the public sector. However, every employee retired or severed who is not replaced represents an ongoing saving to the taxpayer. The net cost of severance must always be discounted from the multi-year tax savings that an unreplaced employee makes possible.

One of the most effective vehicles for reducing the number of employees on the municipal payroll is through the use of labour-saving technology and the integration of work forces similar tasks, like public works and public utilities. However, the initial investment in re-engineering and in automating labour-intensive processes can be a quite large one-time investment.

Before addressing the particulars, it might be helpful to describe the reformed municipal government system that these restructuring proposals aim to produce.

◆ **Municipal Government in Hamilton-Wentworth will be smaller and more efficient, eliminating an extra municipal corporation and reducing its staff requirements.**

Residents of the core city of Hamilton would be served by a single municipal administration, and eventually by a single municipal government. The inefficiencies and competition of two large bureaucracies would be eliminated, leaving them free to focus their resources in common on the customer. Customers and clients of municipal services in Hamilton would no longer have to puzzle-out "who does what" in their dealings with their community government.

◆ **Suburban Municipalities would retain their elected local councils, their charters and their corporate status.**

Suburban residents would retain access to their own community governments, while enjoying the economies of scale made possible when utility and service-delivery functions are integrated, and by having a decision-making role in providing those central services.

◆ **For the customer and client of municipal government services in Hamilton-Wentworth, Hamilton-Wentworth would be a "wired" municipal government geared to the 21st Century.**

Any resident of any Hamilton-Wentworth community would be able to access routine municipal, utility and other governmental services from any access-point in the region, regardless of their place of residence or business location. With the effective use of technology, this access could be expanded to provide routine services on a twenty-four hour, seven-days-per-week basis.

- ◆ The method of delivering municipal services will be determined by the tests of efficiency, effectiveness and competitiveness.

The average resident and business operator does not care about the decal on the snow-plough door, or the location of the municipal computer, or the section of their tax bill that actually finances the service, as long as the service reflects their view of need, price and quality. While the governmental decision-making role should be in the hands of the most appropriate decision-making authority, whether central or local, the primary consideration on service-delivery methods should be the "good business" tests of competitive price, quality and effectiveness.

- ◆ There will be greater clarity and more accountability in municipal government in Hamilton-Wentworth.

By clarifying roles, strengthening accountability and reducing costs to the taxpayer, we must aim to ensure that the political body making spending decisions for a particular service has responsibility for funding that service.

Our recommendations for waste management and transportation are examples of our efforts to bring greater clarity and fiscal accountability to municipal government by assigning the cost of a service to a single jurisdiction. A central authority would assume control of all aspects of waste management (e.g. collection/disposal/recycling). In another example, **Appendix C** illustrates our recommendations specific to roads. Within Hamilton, all responsibility for roads, traffic, parking and transit would be integrated, as is proposed in the Transportation Study. In suburban municipalities, responsibility for virtually all roads would be exercised by local councils: gone will be the days of snow ploughs from the local, regional and provincial road authorities criss-crossing one another while maintaining suburban roads.

A Restructuring Proposal

Based on this vision and these principles, the Steering Committee recommends the following package of reforms to the structure and administration of municipal and utility operations within Hamilton-Wentworth:

1.0 One Central Administration

- 1.1 The Steering Committee is recommending that Regional Council make a request for the Legislature of Ontario to repeal the Regional Municipality of Hamilton-Wentworth Act, and to replace it with a new Act governing local government in Hamilton-Wentworth. The Act and any implementing Regulations, Orders and transitional Provincial grants should have the ingredients listed below.
- 1.2 Effective July 1, 1998, all municipal employees under the direct jurisdiction of the Regional Council or the Hamilton City Council would be considered a single labour force, and administered by a single senior management group, reporting administratively to the Finance &

Administration Committee of and to the Finance & Administrative Services Committee of Regional Council. Between July 1, 1998 and January 1, 2001, the single senior management group of the Regional Municipality and the City of Hamilton would develop a merged administrative and organizational structure suitable to support a New Municipality and to meet the savings targets established by the councils.

- 1.3 On January 1, 2001, the Regional Municipality of Hamilton-Wentworth and the Corporation of the City of Hamilton would be merged, and their assets and liabilities vested in a new municipality, governed by a single council, with the Mayor of the New Municipality being elected at large from across Hamilton-Wentworth. The new council would take office on December 1, 2000, to allow the new Council a month to adopt formally the new municipal structure. The Steering Committee's mandate precluded it from addressing the issue of elected representation, with the exception of the elimination of the elected position of Regional Chairman by virtue of the merger of Regional and City of Hamilton Councils.
- 1.4 The New Municipality would be a "city" municipality for purposes of statute and the Steering Committee recommends either the name "The Corporation of the Metropolitan City of Hamilton" or "The Corporation of the City of Metropolitan Hamilton."
- 1.5 On January 1, 2001, the employees of the Regional Municipality and the City of Hamilton, including police and Hamilton Street Railway, would become employees of the New Municipality, without any severance entitlement and with the continuation of their pooled union and non-union seniority, their collective bargaining rights and the appropriate bargaining agents. To the extent that any employees of the suburban municipalities are transferred or displaced directly as a result of the restructuring and service realignment process, they should be treated in a like manner to the employees of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- 1.6 Effective January 1, 2001, all existing municipal hydro utilities would be consolidated under the New Municipality council, with their work forces being incorporated into the work force of the New Municipality, under the same terms and conditions that apply to City of Hamilton and Regional Municipality employees. A Metropolitan Hamilton Hydro Commission (reporting to the New City Council) would be appointed by the New City Council, consisting of Mayors or their designates, and possibly some additional members.
- 1.7 On January 1, 2001, the City of Stoney Creek, the Towns of Ancaster, Dundas and Flamborough, and the Township of Glanbrook, would be

continued, with elected municipal councils and their existing boundaries.

2.0 Local Service Rates

- 2.1** With the exception of services to be financed from the Local Services Rate, all taxpayers within Hamilton-Wentworth would pay the same municipal "General Services Rate" for all common municipal services, based on their current value assessment. In addition, each municipal council would impose a "Local Services Rate", with proceeds of the "Local Services Rate" being retained by the New City Council for properties in the present city of Hamilton. In the case of the suburban Municipalities, the proceeds of the "Local Services Rate" would be forwarded by the New Municipality to the individual suburban municipalities to fund local services under their respective jurisdictions, with the option to levy more or less than the rate imposed by the New City Council on ratepayers in the former city of Hamilton.
- 2.2** Irrespective of the general provisions of the proposed new Municipal Act, the powers of the suburban municipalities would be specifically listed in the New Municipality Act, and all "residual" municipal powers would vest in the council of the New Municipality, but could be delegated to one or more suburban councils, with their concurrence.
- 2.3** Each suburban municipality would adopt an annual budget and set a "Local Services Rate". The suburban municipality tax levy would be collected and remitted to the suburban municipality by the New City. The responsibility to set tax policy, to levy, bill and collect municipal taxes and to administer the assessment appeal process within Hamilton-Wentworth would be the responsibility of the New Municipality, or its agent. A formula would be devised to govern any transfer of functions between the General Services Rate and the Local Services Rate.
- 2.4** The Province would be requested to transfer responsibility for administering the assessment function to the New Municipality.

3.0 Reassigning Functions

- 3.1** A possible basis of allocating responsibilities is outlined on **Appendix B**.
- 3.2** To create and sustain a common business environment and a single commercial trading area that will maximize the competitive impact of all the communities within Hamilton-Wentworth, all licensing and regulatory functions, along with the formation of taxation policy, would be "central" responsibilities.

3.3 As part of promoting a “one window” environment, without duplication and capable of improving the economic climate for job creation and investment, engineering standards related to both infrastructure and development, would rest with the central authority.

3.4 In accordance with the established Cumming principle, assets and liabilities, such as reserve funds, buildings and “earmarked” revenues, should be retained to benefit the taxpayers who created them, where appropriate.

4.0 Priority Projects

4.1 The Steering Committee has identified a number of service areas that would benefit from an immediate independent study to determine the most appropriate decision-making model and manner of service delivery.

4.2 **Emergency Services (Fire, Ambulance & related Transportation)** - to study and make recommendations on cross-boundary emergency service issues, including emergency and non-emergency patient transportation services.

4.3 **Human Resources** – to study the feasibility of a region-wide human resource function, including a centralized labour relations function, similar to that in the Greater Vancouver Regional District.

4.4 **Information Systems** – to develop a plan for integrating computer systems, including technology, to serve a “one window” capacity across the New City.

5.0 Implementation Measures

5.1 The Steering Committee is also recommending that a “standstill” provision, along with a hiring moratorium, be implemented immediately and kept in place during the period of transition to ensure the prudent management of resources and to ensure the equitable and fair treatment of municipal public servants. The “standstill” provision would respect existing contractual and similar commitments, and the “hiring moratorium” should provide for exemptions and for redeployment. Initiatives within existing municipalities should proceed only where they are consistent with these recommendations.

5.2 The Administrative and Best Practices Steering Committee should remain engaged in the process of reform by assuming responsibility for the implementation process.

Appendix A

Case Studies

In considering the needs and expressed goals of Hamilton-Wentworth municipal governments, the examples of Nashville/Davidson County (1990 population 518,000) and Indianapolis/Marion County (1990 population 813,000) have much to recommend them.

Along with the 1953 Metro model in Toronto, the 1962 consolidation of the City of Nashville and the County of Davidson is seen as the blueprint for successful integration of urban, county and suburban governments. Since that time, some 17 other US central city/county consolidations have adopted the Nashville/Davidson model to varying degrees. A 1989 independent audit of the metropolitan structure in Nashville found that the structure had resulted in significant benefits, and recommended further consolidation of utility functions, with targeted savings of US\$50-75 million. Nashville's tax rates are among the lowest of mature urban centres in the US, and its track record in economic development is very impressive (attracting over 100,000 jobs to the Nashville metropolitan area in the since 1990).

The Indianapolis/Marion County consolidation of 1970 has been equally successful on the economic development front, but its record in public-sector service improvement is probably more widely recognized in municipal government circles across North America.

"Unigov, a unique consolidation of city and county governments, has proven to be one of the most important tools of Indianapolis' continuing growth. Indianapolis has been nationally recognized for its many innovative approaches to public-sector management. Yet it was Unigov, created nearly a generation ago, that has served as a model to other municipalities of how efficient consolidated local government can be organized and operated."

The Indianapolis Project, Inc.

Through the application of "best practices" and its policy of subjecting public-service functions to private-sector competition, the consolidated city/county government of Indianapolis makes the following claims:

" Generated total projected savings of about \$240 million..."*

** Funded part of the largest infrastructure rebuilding program in the city's history -- the \$820 million Building Better Neighbourhoods program..."*

** Won awards from Harvard University, Rutgers University, the Pioneer Institute, the National Council on Public/Private Partnerships and the Public Employee Roundtable."*

The Indianapolis Project, Inc.

Significant Structural Features in the Case Studies

Faced with clear public support for some degree of county-wide consolidation, but facing resistance from several suburban communities wishing to retain their independent identity, the State Legislature in each case study provided for the continued existence of several suburban communities within the broader city/county structure. In the case of Nashville, six suburban "city" municipalities were retained, while in the case of Indianapolis, the cities of Beech Grove, Lawrence and Southport, and the town of Speedway,

were continued. The residents of these communities, however, also vote for the Mayor of the city/county government and for several council representatives, as well as their own municipal councils.

In both cases, the central city council has created special tax districts, reflecting the varying levels of municipal services available to central city, suburban and rural residents. In both Nashville and Indianapolis, there are general taxes imposed by the city/county council for standard municipal services, and a supplementary rate for additional urban services (in the case of Nashville) or for "special services" (such as local police, fire and solid waste) in both Indianapolis proper and within incorporated or unincorporated suburban communities within Marion County.

A Caution on Area-Rating

While demonstrating the great flexibility of the Unigov format, review literature suggests that Indianapolis may have gone too far in accommodating local service differentials, by having some 60 different tax rates reflecting different geographic combinations of municipal services.

Appendix B

FUNCTION	PROVINCE	CENTRAL/ NEW CITY COUNCIL	SUBURBAN/ LOCAL SERVICES RATE
GENERAL GOVERNMENT	Assessment	Tax Policy; Tax Billing; Debt; Investments; Computer systems & information technology; centralized labour relations; human resources services ¹ ; Facilities management, fleet management, etc. ² ; Commercial licensing & regulation (including adult entertainment establishments) Purchasing ³	Local Budgets; Local Services mill rates; Administrative co- ordination (CAO or equivalent); Clerks; Customer Service (including bill payments); Community standards regulation;
PUBLIC SAFETY		Police; Fire prevention; emergency dispatch; Provincial offences admin.; Emergency preparedness; street naming	Fire suppression ⁴ ; Animal control
TRANSPORTATION	Ambulance dispatch;	Public transit; Traffic systems and engineering; Disabled transit; Taxi licensing; Non- emergency ambulance; parking facilities; bikeways	local parking, speed limits, stop signs; streetlighting
ENVIRONMENT		Storm drainage & storm-water management; Conservation authorities; Sanitary; Water; Solid Waste - collection & disposal; environmental assessments	Subdivision inspections and connection permits
HEALTH	Mandatory Progs; hospital finance	Public Health; Emergency ambulance; approvals for private servicing	
SOCIAL SERVICES	Mandatory Progs; Homes standards & capital	Income support; Homes (operation); Social housing; Day care	

FUNCTION	PROVINCE	CENTRAL/ NEW CITY COUNCIL	SUBURBAN/ LOCAL SERVICES RATE
RECREATION & CULTURE	Royal Botanical Gardens	Regional parks; HECFI & heritage properties ⁵	Recreation progs; local parks; cemeteries; public libraries
PLANNING	Provincial policies	Provincial policy statement implementation; overall growth management; infrastructure planning and engineering ⁶ , finance and phasing (cap. budget & dev. controls); standard subdivision agreement and development procedures; subdivision/condo/part-lot approvals; official plans; land- severance policies	Building code; local zoning; neighbourhood plans; site plans; minor variances; commercial signage; property standards; subdivision administration
PUBLIC UTILITIES	Ontario Hydro; Energy Board	Retail electricity; meter- reading; right-of-way mtce.; gas franchise	customer collections
ECONOMIC DEVELOPMENT	Harbour Commission (Govt of Canada)	Economic development; Harbour; airport contract administration; tourism & commercial issues	BIAs/local commerce promotion

¹ Human resources have been identified as an immediate area of study.

² Centralized strategic planning and budgeting of facilities and fleet management can enhance the value of owned, operating and leased facilities and fleets, making them more responsive to cost reduction strategies, workplace efficiency and productivity improvement strategies and technological improvement strategies.

Typically, a corporation's facilities represent one of the three largest investments it will make; the other two are human resources and technology. It follows that the size, location, design, function, financial status and financing of these assets will affect overall costs. This centralized approach to facilities and fleet management can also help realize benefits available from: bulk purchasing, consolidated lease negotiations, and joint maintenance contracts and cleaning contracts. The deployment of staff – or the delivery of the service – can be decentralized. There are numerous private and public sector case studies to support this recommendation.

³ Purchasing is a "central" responsibility and it is recommended that a public consortium be formed that would see the New City cooperate with school boards and hospitals to gain efficiencies in purchasing.

⁴ Fire and ambulance services have been identified as items for immediate study. Fire prevention and emergency dispatch are "central" responsibilities.

⁵ On the subject of HECFI and heritage properties, the Steering Committee was unable to reach agreement.

⁶ The Steering Committee is recommending a "single engineer" to manage engineering standards at the "central" authority to support the goal of uniformity in standardization deemed necessary to avoid duplication and inconsistency, and to promote "one window" service delivery.

Appendix C

ROADS				RELATED FUNCTIONS
Road Classification	Local Roads <i>Including 40% of Regional roads to be transferred to Area Municipalities</i>	Non-highway Regional Roads <i>Balance of existing Regional road network</i>	Regional Highways <i>The Linc; most former Provincial highways – e.g. Hwy. 5</i>	Engineering for Subdivisions and Development Standards
Design	Local Responsibility > Local Services Rate	Central Responsibility > General Services Rate	Central Responsibility > General Services Rate	Central Responsibility
Engineering	Local > Local Services Rate	Central > General Services Rate	Central > General Services Rate	Central
Construction	Local > Local Services Rate	Central > General Services Rate	Central > General Services Rate	Central responsibility for standards (Local responsibility for compliance inspections?)
Maintenance	Local > Local Services Rate	Local Responsibility > Local Services Rate	Central (contracted to Suburb or private contractor) > General Services Rate	(Local responsibility for inspections?)

URBAN/MUNICIPAL

CAY ON HBL AOS
A31
1998



The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

1998 March 6

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

URBAN MUNICIPAL

**Tuesday, 1998 March 10
7:30 o'clock p.m.
Council Chambers, City Hall**

MAR 9 1998

GOVERNMENT DOCUMENTS

**S. G. Hollowell
Acting City Clerk**

A G E N D A

- 1. National Anthem.**
- 2. Opening Prayer: Rabbi Irwin Zeplovitz
Anshe Sholom Synagogue**
- 3. Adoption of the minutes of the meetings held:**
 - (a) 1998 February 24 (regular)
 - (b) 1998 February 27 (special)
- 4. Correspondence**
- 5. Reports of the Standing Committees:**
 - (a) Transport and Environment Committee
 - (b) Parks and Recreation Committee
 - (c) Planning and Development Committee
 - (d) Finance and Administration Committee
 - (e) Licensing Committee
- 6. Notices of Motion for next meeting.**
- 7. Question Period.**
- 8. Adjournment.**

MINUTES

Minutes of Hamilton City Council
Tuesday, 1998 February 24
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps,
Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico,
O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was sung by Central City Children's Choir.

* * * * *

Father Marijan Mihokovic, Holy Cross Church (Croatian) led Council in prayer.

<p>PRESENTATIONS</p>

Mayor R. Morrow and Sheila Snider presented William McCulloch with a framed picture in appreciation of his hard work and dedication during his term of office as Chairman of the Business Improvement Area and Business Association Co-ordinating Committee. In attendance were Members of the following B.I.A.'s: Westdale Village, International Village, Downtown

Mayor R. Morrow presented a gold ring to former Alderman Wm McCulloch.

Mayor R. Morrow presented a Certificate of Recognition to Dino Nicosia, President, Empex Management Group.

ADOPTION OF MINUTES

The minutes of the meeting held 1998 February 10 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1997 January 26 from Imperial Oil, c/o P.O. Box 50, First Canadian Place, Toronto, Ontario for a further modification to the "H" (Community Shopping and Commercial, etc.) District for 649 Upper James Street, Hamilton, Ontario.

Received.

2. Application dated 1998 February 6 from Chedoke Hospital Corporation, c/o Thomas E. Lazier, Lazier, Hickey, Langs & O'Neal, 25 Main Street West, Hamilton, Ontario for removal of the "H" Holding Provision - 60 Rice Avenue, Hamilton, Ontario.

Received.

3. Application dated 1998 February 9 from 1210800 Ontario Limited, Darko Vranich, 636 Main Street East, Hamilton, Ontario for a further modification to the "E" (Multiple Dwellings Lodges, Clubs, etc.) District for 400 York Blvd. and for a change in zoning from "H" (Community Shopping and Commercial, etc.) District modified to "G-3" (Public Parking Lots) District for 16 Magill Street, Hamilton, Ontario.

Received.

4. Application dated 1998 February 10 from 1023942 Ontario Inc., o/a Country Depot, 10 Dartnall Road, Hamilton, Ontario L8W 3N1 for a modification to the "M-13" (Prestige Industrial) District for property at 10 Dartnall Road, Hamilton, Ontario.

Received.

5. Application dated 1998 February 16 from Ontario Pride Construction Ltd., 133 Park Street West, Dundas, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family, etc.) District to "DE" (Low Density Multiple Dwellings) District to permit the conversion of the existing building to 11 condominium apartment units (Block 1) and for a modification to the established "D" (Urban Protected Residential - One and Two Family, etc.) District to recognize the existing semi-detached dwellings (Block 2) for 30-36 Margaret Street, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and the Report of His Worship Mayor R. Morrow, be considered in Committee of the Whole with Alderman Eisenberger in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTH REPORT
--

**Section 21 Re: West Central Branch of the Ministry of the Environment -
Amendment to Certificate of Approval No. A100145**

It was moved by Alderman Collins and seconded by Alderman Charters that Section 21 of the FOURTH Report of the Transport and Environment Committee for 1998 respecting Amendment to Certificate of Approval No. A100145 be referred back.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps.-1.

CARRIED.

<p>PARKS AND RECREATION COMMITTEE - THIRD REPORT</p>

Section 3 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson -1.

CARRIED.

* * * * *

Section 13 Re: Declaration of Interest - Alderman F. D'Amico

Alderman Frank D'Amico declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman D'Amico is an employee of the Royal Bank of Canada.

* * * * *

Section 13(b) Re: Sale of an easement for a sanitary sewer across the Chedoke (Martin) Golf Course to Chedoke Terrance Inc.

It was moved by Alderman Morelli and seconded by Alderman Caplan that Section 13(b) of the THIRD Report of the Parks and Recreation Committee for 1998 respecting funds derived from the sale of the easement across Chedoke Golf Course be referred back.

Recorded vote on Section 13, as amended.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -13.

NAYS: Aldermen Kiss, Caplan, Copps. -3.

CARRIED.

* * * * *

Recorded vote on Motion

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Kelly, O'Sullivan. -14.

NAYS: Aldermen Copps, Anderson.-2.

CARRIED.

<p>PLANNING & DEVELOPMENT COMMITTEE - FOURTH REPORT</p>
--

Section 2 Re: Rental Housing Protection Act - V. Silva - 29 Sherman Avenue South

It was moved by Alderman D'Amico and seconded by Alderman Copps that Appendix "B" referred to in Section 2 of the Fourth Report of the Planning and Development Committee for 1998 be amended by adding the attached page which was inadvertently omitted in the Planning and Development Committee Report.

CARRIED.

* * * * *

Section 12 Rule No. 9 - Bill C-39 A By-law to Amend Zoning By-law No. 6593 respecting lands located north of Rymal Road East and west of Upper Wellington Street, known municipally as 177 Rymal Road East.

It was moved by Alderman D'Amico and seconded by Alderman Copps that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a Bill to amend Zoning By-law No. 6593 respecting lands located north of Rymal Road East and west of Upper Wellington Street, known municipally as 177 Rymal Road East.

CARRIED.

* * * * *

Section 12 Bill C-39 A By-law to Amend Zoning By-law No. 6593 respecting lands located north of Rymal Road East and west of Upper Wellington Street, known municipally as 177 Rymal Road East.

It was moved by Alderman D'Amico and seconded by Alderman Copps that Section 12 of the FOURTH Report of the Planning and Development Committee be amended by adding subsection (c) as follows:

C-39 A By-law to Amend Zoning By-law No. 6593 respecting lands located north of Rymal Road East and west of Upper Wellington Street, known municipally as 177 Rymal Road East. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - SIXTH REPORT
--

Section 11 Re: Grey Cup Audited Financial Statements

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 17 Re: Composition of Hamilton Farmers' Market Sub-Committee

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Morelli, Haining, Wilson, Charters, Jackson, Anderson, Kelly, O'Sullivan. -10.

NAYS: Aldermen Kiss, Horwath, Corsini, Copps, Eisenberger, Collins, D'Amico. -7.

CARRIED.

NOMINATING COMMITTEE - FOURTH REPORT

REPORT OF HIS WORSHIP MAYOR R. M. MORROW - FIRST REPORT

Re: Report of His Worship Mayor R. M. Morrow

It was moved by Alderman Collins and seconded by Alderman Charters that the Report of the First Report of His Worship Mayor Robert M. Morrow be referred to the Committee of the Whole meeting scheduled for Friday, 1998 February 27. **CARRIED.**

ACTING MAYOR FOR THE MONTH OF MARCH, 1998

It was moved by Alderman Kiss and seconded by Alderman Copps that Alderman R. Corsini be appointed as Acting Mayor for the month of March, 1998. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

1998 February 24

* * * * *

City Council then adjourned at 9:00 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1998 February 24
JJS/dg

Minutes of Committee of the Whole\Hamilton City Council

Friday, 1998 February 27

9:30 o'clock a.m.

Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps,
Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico,
O'Sullivan.

Mayor R. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole and His Worship Mayor Robert M. Morrow, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining,
Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly,
D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - FIFTH REPORT

Scott MacDonald Limited

REPORT OF HIS WORSHIP MAYOR R. M. MORROW - FIRST REPORT

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Report of His Worship Mayor R. M. Morrow, and the Committee of the Whole, be adopted.

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **FIRST** Report for 1998 and respectfully recommends:

1. That City Council endorse the amended Policy Guidelines and Associated Procedures for the Mayor's Committee Against Racism and Discrimination, attached hereto as Appendix "A", which provides for the following significant changes:
 - (a) The merger of the Committee and its Advisory Council to form one Committee; and,
 - (b) The reduction in the size of the Committee; and,
 - (c) The Committee structure will include the Mayor as the Honourary Chairperson, two Aldermanic members, one of whom will be appointed by the Mayor as a Co-Chairperson, and, the election of a citizen Co-Chairperson from the seven citizen members. The Co-Chairpersons shall alternate presiding over the meetings and activities of the Committee in the absence of the Mayor; and,
2. That the Policy Guidelines and Associated Procedures become effective immediately upon adoption by the City Council.

Respectfully submitted

**ROBERT M. MORROW
MAYOR**

**Debbie-Ann Rashford, Secretary
1998 February 20**

Appendix "A" as referred to in
Section 1 of the First Report of
His Worship Mayor Robert M. Morrow
for 1998

**POLICY GUIDELINES AND ASSOCIATED PROCEDURES
FOR THE CITY OF HAMILTON'S
MAYOR'S COMMITTEE AGAINST RACISM AND
DISCRIMINATION**

THE HAMILTON MAYOR'S COMMITTEE AGAINST RACISM AND DISCRIMINATION

A Committee of City Council Will Deal With Issues Relating to Racism and Discrimination

1. The Hamilton Mayor's Committee Against Racism and Discrimination will hereafter be called "The Committee".
2. The Committee will consist of **seven** citizen members. The Committee will also include the Mayor and two Aldermen. **[total 10]**
3. The Committee should strive to be reflective of the diversity in the community.
4. The Committee shall conduct monthly meetings excluding the months of July, August and December, at dates and times to be determined, or at the call of the Chair.
5. The Mayor will be the Honourary Chairperson (hereafter referred to as "Chairperson") of the Committee and will appoint one of the Aldermanic members to be a Co-Chairperson. The Committee members will elect a Co-Chairperson from the citizen members. The Co-Chairpersons shall alternate presiding over meetings and activities of the Committee in the absence of the Mayor.
6. The Committee will recommend seminars and programmes for the development of its members.
7. The Committee Secretary, a Legislative Assistant appointed by the Clerk's Office, will be responsible for attending and recording regularly scheduled meetings.
8. The Committee will be responsible for financial, media, mediation, membership, and public awareness issues, to be dealt with at the regularly scheduled meetings.
9. The Committee may strike any Ad Hoc Committee for a special project, event or issue as (if) the need arises.

10. Non-voting resource persons from the following list shall be invited to attend the meetings of the Committee:

- City and Region - Human Resources Department
- The Corporation of the City of Hamilton - Union Representative
- Hamilton-Wentworth Regional Police
- Hamilton-Wentworth District School Board
- Hamilton-Wentworth Catholic District School Board
- Hamilton & District Labour Council
- Council of Churches
- Ontario Anti-Racism Secretariat

Other resource persons as may be required will be invited to attend as well.

TERMS OF REFERENCE

The Mayor's Committee Against Racism and Discrimination recognizes that the inherent dignity and the equal inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world and is in accord with the Universal Declaration of Human Rights as proclaimed by the United Nations.

And, since it is public policy in Ontario to recognize the dignity and worth of every person and to provide for equal rights and opportunities without discrimination that is contrary to law, and having as its aim the creation of a climate of understanding and mutual respect for the dignity and worth of each person so that each person feels a part of the community and able to contribute fully to the development and well-being of the community. These principles have been confirmed in Ontario by a number of enactments of the Legislature and it is desirable to revise and extend the protection of human rights.

Therefore, it shall be the duty of the Mayor's Committee Against Racism and Discrimination to:

1. Advise and consult with the Mayor and to report to City Council, on relevant issues relating to anti-racism and anti-discrimination in the community of Hamilton and area.
2. To outreach to Native Communities in an effort to learn, understand, respect and convey the special status of Native peoples (Aboriginal of this Country), as well as their rights, whether it be Aboriginal or Treaty.
3. To work actively with the Hamilton-Wentworth Regional Police Services, the Hamilton-Wentworth District and Catholic District School Boards, and other relevant organizations and institutions to foster a spirit of mutual understanding of issues pertaining to racism and discrimination.
4. Encourage every person, regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability, to engage in programmes for the improvement of community relations and the fulfilment of Human Rights.
5. Initiate and facilitate discussions between individuals and/or groups to lessen tensions and promote understanding in the community.
6. Receive, review, facilitate and offer assistance to complainants as required on matters of tension, prejudice, racism and practices of discrimination.
7. Make recommendations to the Municipality on issues relating to Employment Equity as well as issues promoting Anti-Racism and Anti-Discrimination.

SELECTION OF MEMBERS TO COMMITTEE

1. Application for membership to the Committee will be invited by advertisement in the local media and letters sent to minority and community organizations in the Hamilton area requesting their interested members to apply for membership on the Committee.
2. Criteria for selection of members for the Committee will be primarily the applicant's involvement in and commitment to combatting racism and discrimination within the community. The Committee complement should be representative of the various groups within the community.
3. The Selection Committee will consist of the Committee Chairperson, past citizen Co-Chairperson, and two Aldermen. A quorum of three members is required for the Selection Committee.
4. The Mayor will call the first meeting of the Committee in January. At this first meeting, members will select the citizen Co-Chairperson by secret ballot.
5. The names of those selected will be presented to City Council at the next scheduled meeting.
6. Members are expected to attend all meetings on a regular basis. Members who are absent from **two** consecutive meetings without due cause, will be advised in writing that they shall cease to be a member.

CONDUCT OF BUSINESS IN THE COMMITTEE

1. The Chairperson, or in the absence of the Chairperson a Co-Chairperson, shall preside and shall have a vote on all questions submitted. In case of an equal division the question shall be decided in the negative.
2. A quorum shall consist of 6 Committee members.
3. Excluding the months of July, August and December, the Committee shall conduct monthly meetings, at dates and times yet to be determined.
4. Special meetings may be arranged at the call of the Chairperson. Special meetings may also be requested by a minimum of six Committee members, upon the provision of one weeks notice.
5. Annually, in October the Committee shall determine its projects e.g. dinners, workshops, manuals, for the new year in order to plan the agenda and calculate budget requirements.
6. Expenditures exceeding \$50.00 must be approved by the Committee.
7. Attendance at conferences, workshops, seminars etc. shall not be limited solely to the Co-Chairpersons.
8. It will be necessary for a member who has attended a conference, workshop, or seminar on behalf of the Committee, to prepare a written report on the event, and present the report at the next regularly scheduled meeting.

APPLICATION PROCESS

Citizen members will be selected on the basis of experience, awareness of anti-racism policies, membership in native groups, various Hamilton community groups or agencies serving the needs of such groups.

City Council encourages the submission of applications by individuals who may be considered for appointment to the Committee. Submission should include a biographical note including his/her qualifications and experience as well as an indication of the nominees' willingness to serve.

Applications should be forwarded to the City Clerk's Department, Membership, Mayor's Committee Against Racism and Discrimination, City Hall, 71 Main Street West, Hamilton, ON L8P 4Y5

02/20/98

C O R R E S P O N D E N C E

Correspondence:

1. Application dated 1998 February 26 from 819802 Ontario Limited, Giovanni Fortino, 7055 Twenty Road East, Hannon, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "RT-30" (Street - Townhouse) District modified for 41 and 51 Wilson Street & 99 John Street North, Hamilton, Ontario

Recommendation: Be Received.

REPORTS

**TRANSPORT & ENVIRONMENT
COMMITTEE**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIFTH** Report for 1998 and respectfully recommends:

1. That the by-law to sell portions of closed Garnet Avenue and MacLanders Street designated as Part 18 on Plan 62R-11788, be prepared to the satisfaction of the City Solicitor and be enacted by City Council.
2. That the by-law be prepared to the satisfaction of the City Solicitor and be enacted by City Council to sell portions of closed road allowances where the lands already abut the City or Regional lands designated as:
 - (a) Part of Part 9 on Plan 62R-11165
 - (b) Part of Part 4 on Plan 62R-11164
 - (c) Part of Part 4 on Plan 62R-11340
 - (d) Part of Part 2 on Plan 62R-11249
 - (e) Part of Part 1 on Plan 62R-11263
 - (f) Part of Part 1 on Plan 62R-11231
3. That the existing "Alternate Side Parking" regulation on Barnesdale Avenue South between Vineland Avenue and Dunsmure Road be replaced with a "No Parking" regulation on the east side and unrestricted parking on the west side of the street in this block, and that the City Traffic By-law No. 89-72 be amended accordingly.
4. (a) That a "Permit Parking" regulation be implemented on the east side of Avondale Street commencing at a point 124 feet north of Primrose Avenue and extending to a point 18 feet northerly therefrom, and on the west side of Avondale Street, commencing at a point 39 feet north of Primrose Avenue and extending to a point 18 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Joseph Kin, No. 3 - 114 Avondale Street.
- 5. (a) That a "Permit Parking" regulation be implemented on the east side of East 19th Street commencing at a point 232 feet south of Concession Street and extending to a point 16 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. T. Nixon, No. 25 East 19th Street.
- 6. That the existing "No Parking" regulation on the north side of Macauley Street West commencing at a point 228 feet west of MacNab Street North and extending to a point 27 feet westerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 7. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Angela Avenue between West 31st Street and West 32nd Street; and,
(b) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of West 32nd Street between Angela Avenue and Leslie Avenue; and,
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
- 8. (a) That a "Permit Parking" regulation be implemented on the east side of East 8th Street commencing at a point 396 feet south of Queensdale Avenue East and extending to a point 22 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Rose VanHoek, No. 215 East 8th Street.

9.
 - (a) That westbound traffic on Towercrest Drive be required to stop for northbound and southbound traffic on Colin Crescent; and,
 - (b) That a "No Parking" regulation be implemented on the north side of Towercrest Drive commencing at a point 109 feet east of Colin Crescent and extending to a point 40 feet easterly therefrom; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
10.
 - (a) That a "Permit Parking" regulation be implemented on the north side of Clinton Street commencing at a point 78 feet east of Barnesdale Avenue North and extending to a point 17 feet easterly therefrom, and on the south side of Clinton Street commencing at a point 61 feet east of Barnesdale Avenue North and extending to a point 18 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Eileen Laslo-Doyle, No. 77 Clinton Street.
11.
 - (a) That a "No Stopping" corner clearance be implemented on the east side of Hummingbird Lane commencing at Skylark Drive and extending to a point 64 feet northerly therefrom; and,
 - (b) That a "No Stopping" corner clearance be implemented on the west side of Hummingbird Lane commencing at Skylark Drive and extending to a point 75 feet northerly therefrom; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
12. That southbound traffic on Bernard Street and Blair Avenue be required to stop for eastbound and westbound traffic on Martha Street, and that the City Traffic By-law No. 89-72 be amended accordingly.
13. That all-way stop control be implemented at the intersection of Kirkfield Road and Springside Drive and that the City Traffic By-law No. 89-72 be amended accordingly.

14. That a "Commercial Vehicle Loading Zone, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Crockett Street commencing at a point 25 feet west of East 22nd Street and extending to a point 30 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
15. That the existing full-time "No Parking - Loading Only" regulation on the north side of King William Street commencing at a point 32 feet west of Hughson Street and extending to a point 30 feet westerly therefrom be revised such that it is in effect from 8:00 a.m. to 6:00 p.m., Monday to Saturday, and that the City Traffic By-law No. 89-72 be amended accordingly.
16. That a "Wheelchair Loading Zone, 8:00 a.m. to 5:00 p.m., seven days a week" regulation be implemented on the south side of Florence Street commencing at a point 83 feet west of Ray Street North and extending to a point 25 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
17. That a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of East 27th Street commencing at a point 121 feet north of Burkholder Drive and extending 45 feet northerly, and the City Traffic By-law No. 89-72 be amended accordingly.
18. (a) That the following City lands be incorporated into the following streets:

Arrowsmith Road	Parts 2 and 3	62R-14277
Centennial Parkway	Part 1	62R-14277
Jacqueline Boulevard	Block 37	62M-778

 - (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the City Solicitor and be enacted by Council; and,
 - (c) That the Commissioner of Transportation be authorized and directed to register the by-laws.

19. That the application of The Runner's Den Running Club, to temporarily close Jackson Street, between John Street South and Catharine Street South on Saturday 1998 March 14, from 1:30 o'clock p.m. to 6:00 o'clock p.m., to hold a 10 km road race, be approved, subject to the following conditions:
- (a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
 - (b) That the applicant provide proof of \$2,000,000 public liability insurance naming the City and the Region as added insured parties with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
 - (d) That all barricading be supplied by and at the expense of the applicant; and,
 - (e) That "Temporary Road Closure" signs be installed in advance by the City of Hamilton, on the affected roadways, if deemed necessary by the Commissioner of Transportation; and,
 - (f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation.

20. (a) That the Commissioner of Public Works and Traffic be authorized and directed to construct a 1.5m wide sidewalk on the south side of Glen Road between Bond Street North and Longwood Road North; and,
- (b) That the cost of the sidewalk estimated at \$35,000 be charged to Account No. CH51401 60132, Sidewalk Curb Repairs.
21. (a) That the proposed alteration of Ferguson Avenue North from King to King William Street to provide for a 6.25m road width as shown on Appendix "A", attached hereto, be advertised under Section 300 of the Municipal Act being Chapter M.45 of the Revised Statutes of Ontario 1990; and,
- (b) That the necessary by-law be prepared by the Commissioner of Public Works and Traffic in a form satisfactory to the City Solicitor and advertised by the City Clerk.
22. (a) That a School Crossing Guard be assigned to the intersection of Limeridge Road East and Lennox Street during the morning and evening school crossing periods up until the approval of the 1998 Departmental Budget; and,
- (b) That said assignment be subject to the approval of an expansion package of approximately \$4,000, plus administrative costs, which will be presented during the 1998 current budget deliberations; and,
- (c) That the Hamilton-Wentworth District School Board be advised of this action and requested to consider removing the bus service to Lisgar School.
23. That the existing "Three Way Stop Control" at the intersection of Berkindale Drive and Sylvester Street be confirmed as a permanent amendment to the City Traffic By-law No. 89-72.
24. (a) That the submitted schedule of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in:

"BRIGADOON PARK", Hamilton
City's Share - \$186,754.58, Owner's Share - \$103,296.53

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Brigadoon Park", Hamilton as well as any other related documents for this subdivision subject to the approval of the City Solicitor; and,
 - (c) That the approval of the above-noted clauses be subject to the condition that work not be commenced until the Final Plan and Subdivision Agreement has been registered; and,
 - (d) That in the event the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered, they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for pre-servicing; and,
 - (e) That the City accept the lands for Nairne Street, shown as Parts 1 to 7 (inclusive) on Reference Plan 62R-14441, which lands will be dedicated to the City from the Ontario Realty Corporation by deed for \$1; and,
 - (f) That upon registration of the Final Plan, the City Solicitor be authorized and directed to prepare a by-law for the establishment of Nairne Street and Brigadoon Drive as public highways, excepting a 1' (0.30 metre) reserve which will be established along the west side of Nairne Street; and,
 - (g) That the City's share of services in "Brigadoon Park", Hamilton (\$186,754.58) be approved and that the Finance and Administration Committee recommend the source of funding.
25. That the following Bills be adopted, signed, sealed and enrolled as By-law:
- (a) A-21 A By-law to Sell a Closed Portion of Garnet Avenue and MacLanders Street Designated as Part 18 on Plan 62R-11788
 - (b) A-22 A By-law to sell parts of the Closed Original Road Allowance between Lots 32 and 33 Concession 4 and between Concessions 3 and 4 and between Lots 30 and 31 Concession 3 all in the geographic Township of Saltfleet and part of closed Woodward Avenue and part of the closed Woodward Avenue Traffic Circle

1998 March 10

- (c) A-23 A By-law to Incorporate City Land Designated as Parts 2 and 3 on Plan 62R-14277 into Arrowsmith Road
- (d) A-24 A By-law to Incorporate City Land Designated as Part 1 on Plan 62R-14277 into Centennial Parkway
- (e) A-25 A By-law to Incorporate City Land Designated as Block 37 on Plan 62M-778 into Jacqueline Boulevard
- (f) A-26 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic
- (g) A-27 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic

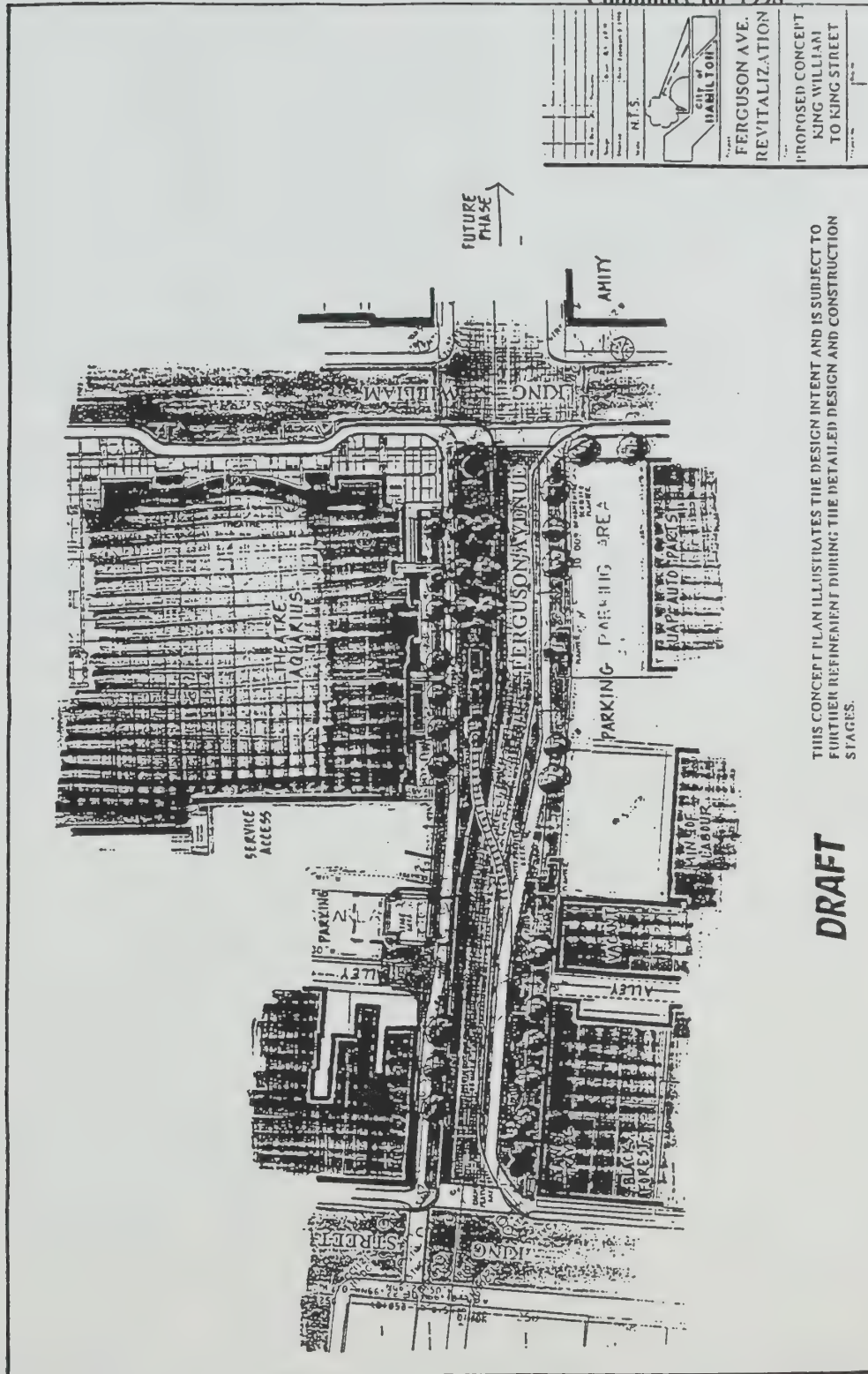
Respectfully Submitted,

**ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson
Secretary**

1998 March 2nd

Appendix "A" as referred to in
Section 21 of the Fifth Report
of the Transport and Environment
Committee for 1998



PARKS & RECREATION
COMMITTEE

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FOURTH** Report for 1998 and respectfully recommends:

1. That approval as required by Section 17 (1) and Section 26 of the Fireworks By-law No. 90-198 and Section 5 and Section 11 of Parks By-law No. 95-126 as amended, be given to the organizations as follows:
 - (a) Kirkendall Recreation Association, Highland Gardens Park
1998 May 18 - Rain Date 1998 May 19; and,
 - (b) Feast of St. Anthony's Celebrations, Ivor Wynne Stadium
1998 June 14; and,
 - (c) Communita Raculmutese Maria SS Del Monte, Bayfront Park
1998 June 21
- to hold a Fireworks Display and serve alcoholic beverages on City Property on dates specified, subject to the Terms and Conditions of the Special Event Guidelines.
2. (a) That approval as required by Parks By-law No. 95-126, Section 11, to sell alcoholic beverages; Section 29, to park vehicles in a park; Section 35, to bring horses in a park and Section 37, to bring animals into a park, be given to the following organizations:
 - (i) Hamilton Folk Arts Heritage Council, It's Your Festival - Gage Park
1998 June 27 to July 1, 12:00 o'clock noon to 11:00 o'clock p.m.; and,
 - (ii) The Corporation of the City of Hamilton - Hamilton Children's Museum
20th Birthday Party - Gage Park, 1998 July 16 (rain date Friday 1998 July 17); and,

- (b) That approval as required by Parks By-law No. 95-126 as amended, Section 11, be given to the following organizations to allow the sale of alcohol in a park:
 - (i) Portuguese Association of St. Michael, Festival - Dundurn Park Pavilion 1998 June 5, June 6 and June 7, 12:00 o'clock noon to 11:00 o'clock p.m.; and,
 - (ii) Art Gallery of Hamilton, Fundraising Event - Commonwealth Square 1998 June 6; and,
 - (iii) Hamilton & District Labour Council, Parade/Picnic Dundurn Park Pavilion 1998 September 7, 8:00 o'clock a.m. to 11:00 o'clock p.m.; and,
 - (c) That approval as required by Parks By-law No. 95-126, Section 29, park vehicles in a park; Section 35, to bring horses in a park; and Section 37, to bring animals into a park, be given to Hamilton-Wentworth Creative Arts Inc. on the occasion of Earthsong Festival in Kay Drage Park, 1998 July 1 to July 5 and Festival of Friends in Gage Park, 1998, August 7 to August 9 from 12:00 o'clock noon to 11:00 o'clock p.m.; and,
 - (d) That approval as required by Parks By-law No. 95-126, Section 35 - to bring horses in a park and Section 37 to bring animals in a park be given to the Director of Culture and Recreation on the occasion of the Easter Egg Extravaganza at Pier 4 Park and Leander Boat Club on 1998 April 5 from 11:00 o'clock a.m. to 4:00 o'clock p.m.; and,
 - (e) That the approvals given in Sub-Sections (a), (b), (c) and (d) be subject to the Standard Terms and Conditions of the Special Events Guidelines.
3. For the information of City Council, the Parks and Recreation Committee have made the following appointments to the Arts Advisory Commission:
- Peter Rogers (Library Board)
Shelagh Snider (New Faces)
Tricia Naber (Dundas Valley School of Art)
Brenda Faloney (Theatre Aquarius)
Catherine Pead (Ontario Workers Arts and Heritage Centre)
Richard Birney-Smith (Te Deum Orchestra and Singers)
Wesley W. Bates (Carnegie Gallery); and,

1998 March 10

- (a) The Hamilton and Region Arts Council will be represented in its own category as is customary by Patti Beckett, Executive Director; and,
 - (b) Notwithstanding current Council policy regarding staggered terms of service on sub-committees, representatives of arts organizations will serve one-year terms; and,
 - (c) Art organizations will be invited annually to propose their representatives.
4. That the 1998 membership and green fee schedule for Hamilton Civic Golf Courses attached hereto as Appendix "A", be approved.
5. (a) That the Commissioner of Public Works and Traffic be authorized to participate in a joint tree management plan with Ontario Hydro for the purposes of maintaining Hydro transmission line clearance specifications at Hamilton Beach corridor; and,
- (b) That the City develop a vegetation management plan for this area within the Ontario Hydro guidelines; and,
- (c) That staff be authorized to initiate a public awareness program on the merits of establishing and maintaining a healthy ecological landscape on Hamilton Beach and involving the Hamilton Beach Preservation Committee and affected landowners; and,
- (d) That tree trimming at Hamilton Beach corridor be charged to CH62208 General Forestry Operations; and,
- (e) That the Mayor and City Clerk be authorized to execute the necessary documentation in a form satisfactory to the City Solicitor.

Respectfully Submitted,

Kevin C. Christenson
Secretary
1998 March 2nd

ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Appendix "A" as referred to in
Section 4 of the Fourth Report
of the Parks and Recreation
Committee for 1998

Hamilton Civic Golf Courses 1998 Rates & Fees

Chedoke-Martin (only)	1996	1997	1998
Adult	\$645	\$645	\$645
Adult - non-resident	\$745	\$745	\$745
Couples	\$1,190	\$1,190	\$1,190
Couples-non- resident	\$1,290	\$1,290	\$1,290
Family	\$1,340	\$1,340	\$1,340
Family - non-resident	\$1,440	\$1,440	\$1,440
Junior	\$150	\$150	\$150
Junior - non-resident	\$250	\$250	\$250
Intermediate	\$400	\$400	\$400
Intermediate - non-resident	\$500	\$500	\$500
Pensioner	\$430	\$430	\$430
Pensioner - non-resident	\$530	\$530	\$530
Weekday Only (5 Days)	\$430	\$430	\$430
Weekday Only - non-resident	\$530	\$530	\$530

King's Forest (only)	1996	1997	1998
Adult	\$850	\$950	\$1,050
Adult - non-resident	\$950	\$1,050	\$1,150
Couples	\$1,600	\$1,800	\$2,000
Couples-non- resident	\$1,700	\$1,900	\$2,100
Family	\$2,025	\$2,000	\$2,100
Family - non-resident	\$2,125	\$2,100	\$2,200
Junior	\$425	\$250	\$250
Junior - non-resident	\$525	\$350	\$350
Intermediate	\$510	\$570	\$630
Intermediate - non-resident	\$610	\$670	\$730
Pensioner	\$595	\$665	\$735
Pensioner - non-resident	\$695	\$765	\$835
Weekday Only (5 Days)	\$595	\$665	\$735
Weekday Only - non-resident	\$695	\$765	\$835

Chedoke - Beddoe (only)	1996	1997	1998
Adult	\$750	\$850	\$900
Adult - non-resident	\$850	\$950	\$1,000
Couples	\$1,400	\$1,600	\$1,700
Couples-non- resident	\$1,500	\$1,700	\$1,800
Family	\$1,775	\$1,800	\$1,900
Family - non-resident	\$1,875	\$1,900	\$2,000
Junior	\$375	\$250	\$250
Junior - non-resident	\$475	\$350	\$350
Intermediate	\$450	\$510	\$540
Intermediate - non-resident	\$550	\$610	\$640
Pensioner	\$525	\$595	\$630
Pensioner - non-resident	\$625	\$695	\$730
Weekday Only (5 Days)	\$525	\$595	\$630
Weekday Only - non-resident	\$625	\$695	\$730

Chedoke - Martin/Beddoe	1996	1997	1998
Adult	\$780	\$900	\$1,050
Adult - non-resident	\$880	\$1,000	\$1,150
Couples	\$1,460	\$1,700	\$2,000
Couples-non- resident	\$1,560	\$1,800	\$2,100
Family	\$1,850	\$2,000	\$2,150
Family - non-resident	\$1,950	\$3,000	\$2,250
Junior	\$390	\$300	\$300
Junior - non-resident	\$490	\$400	\$400
Intermediate	\$468	\$540	\$630
Intermediate - non-resident	\$568	\$640	\$730
Pensioner	\$546	\$630	\$735
Pensioner - non-resident	\$646	\$730	\$835
Weekday Only (5 Days)	\$46	\$630	\$735
Weekday Only - non-resident	\$646	\$730	\$835

Hamilton Civic Golf Courses 1998 Rates & Fees - 2 -

City-Wide Membership	1996	1997	1998
Adult	\$950	\$1,050	\$1,150
Adult - non-resident	\$1,050	\$1,150	\$1,250
Couples	\$1,800	\$2,000	\$2,200
Couples-non- resident	\$1,900	\$2,100	\$2,300
Family	\$2,275	\$2,300	\$2,450
Family - non-resident	\$2,375	\$2,400	\$2,550
Junior	\$475	\$350	\$350
Junior - non-resident	\$575	\$450	\$450
Intermediate	\$570	\$630	\$690
Intermediate - non-resident	\$670	\$730	\$790
Pensioner	\$665	\$735	\$805
Pensioner - non-resident	\$765	\$835	\$905
Weekday Only (5 Days)	\$665	\$735	\$805
Weekday Only - non-resident	\$765	\$835	\$905

GREEN FEES

Chedoke - Beddoe	1996	1997	1998
18 Holes	\$26.00	\$28.00	\$30
Pensioner/Jr.	\$19.00	\$21.00	\$23
Twilight	\$17.00	\$19.00	\$21
Chedoke - Martin			
18 Holes	\$22.00	\$24.00	\$26
Pensioner/Jr.	\$15.00	\$17.00	\$19
Twilight	\$13.00	\$15.00	\$17
King's Forest			
18 Holes	\$28.00	\$30.00	\$32
Pensioner/Jr.	\$21.00	\$23.00	\$25
Twilight	\$19.00	\$21.00	\$23

P L A N N I N G & D E V E L O P M E N T
C O M M I T T E E

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTH** Report for 1998 and respectfully recommends:

1. (a) That approval be given to Zoning Application ZAC-98-01, Dr. C. Mielke, prospective owner, for a further modification in zoning to the established "HH" (Restricted Community Shopping and Commercial, etc.) District regulations for lands located at 867 Upper Paradise Road, as shown on the attached map marked as Appendix "A", on the following basis:
 - (i) That By-law No. 94-041 be repealed in its entirety; and,
 - (ii) That Subsection 2(a) of Zoning By-law No. 88-145 be deleted in its entirety; and,
 - (iii) That Subsection 2(b)(i) of Zoning By-law No. 88-145 be deleted in its entirety; and,
 - (iv) That Subsection 2(c)(i) of Zoning By-law No. 88-145 be deleted in its entirety; and,
 - (v) That Subsection 2(c)(ii)(a) of Zoning By-law No. 88-145 be deleted in its entirety and replaced with the following:

a planting strip not less than 6.0 m in width shall be provided and maintained; and,
 - (vi) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to the subject lands, be further modified to include the following variances, as special requirements:
 - (1) That notwithstanding Section 14A(1) of Zoning By-law No. 6593, only a business or professional person's office having a total gross floor area of not more than 230 sq.m (2,475 sq.ft.) shall be permitted; and,

- (2) That notwithstanding Section 14A(2) of Zoning By-law No. 6593, no building shall exceed 1 storey, and no structure shall exceed 8.0 metres in height; and,
 - (3) That notwithstanding Section 18A.(1)(a) of Zoning By-law No. 6593, a minimum of 12 parking spaces shall be provided and maintained; and,
 - (vii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1074b, and that the subject lands on Zoning District Map W-27C be notated S-1074b; and,
 - (viii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-27C for presentation to City Council; and,
 - (ix) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2. (a) That approval be given to Official Plan Amendment No. 146, by Little Three Ontario Ltd., owner to redesignate the lands known municipally as 75 Rymal Road East from "Residential" to "Commercial", shown as Block "2" on the attached map marked as Appendix "B"; and,
- (b) That approval be given to amended Zoning Application ZAC-97-38, Little Three Ontario Ltd., owner for a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial, etc.) District (Block "2") and for a modification to the established "HH" (Restricted Community Shopping and Commercial, etc.) District (Block "1") to permit development for automobile sales and leasing, for lands known municipally as Nos. 55, 69 (Block 1) and 75 Rymal Road East (Block 2) , as shown on the attached map marked as Appendix "B", on the following basis:
- (i) That Block "2" be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial, etc.) District; and,
 - (ii) That Section 2 of Zoning By-law No. 86-273, applicable to Nos. 55 and 59 Rymal Road East, be repealed in its entirety; and,
 - (iii) That Sections 2 and 3 of Zoning By-law No. 90-306 applicable to No. 69 Rymal Road East, be repealed in their entirety; and,

- (iv) That the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations as contained in Section 14A. of Zoning By-law No. 6593, applicable to Blocks "1" and "2" be modified to include the following variances, as special requirements:
 - (1) that notwithstanding Section 14A.(1), only two (2) automobile sales and leasing establishments, excluding automotive body and fender repairing and automobile painting shall be permitted; and,
 - (2) that notwithstanding Section 14A.(3)(a), two (2) business identification signs shall be permitted provided that the aggregate area of the two business identification signs shall not be greater than 0.1 square metre per 0.3 metres of street frontage of the lot; and,
 - (3) that notwithstanding Section 18.(3)(ivc)(b) of Zoning By-law No. 6593, a planting strip having a minimum width of 3.0 m, with a visual barrier not less than 1.2 m and not more than 2.0 m in height, shall be provided and maintained along the easterly lot line where it abuts a residential district; and,
 - (4) that notwithstanding Section 18.(3)(ivc)(b) of Zoning By-law No. 6593, a planting strip having a minimum width of 3.0 m, with a visual barrier not less than 1.2 m and not more than 2.0 m in height, shall be provided and maintained along the northerly lot line where it abuts a residential district; and,
- (v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1398, and that the subject lands on Zoning District Map E-9D be notated S-1398; and,
- (vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9D for presentation to City Council; and,
- (vii) That the proposed change and modification in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 146 by the Regional Municipality of Hamilton Wentworth; and,
- (viii) That, upon finalization of the implementing zoning by-law, the Ryckmans Neighbourhood Plan be amended to redesignate Block "2" from "Single & Double Residential" to "Commercial".

3.
 - (a) That Amended Application 97-28, Mohawk College of Applied Arts and Technology, owner, for an Official Plan Amendment, to establish a "Special Policy Area", to permit a private recreational facility within the "Major Institutional" designation, for "Block 1" only, for lands located at No. 135 Fennell Avenue West, as shown on the attached Appendix "C", be denied; and,
 - (b) That Amended Zoning Application 97-28, Mohawk College of Applied Arts and Technology, owner, for a modification to the established "B" (Suburban Agriculture and Residential, etc.) District regulations, for Blocks "1" and "2", for lands located at No. 135 Fennell Avenue West, to permit development of Block "1" for a student residence containing a maximum of 250 units or a student residence containing a maximum of 180 units and a private tennis club, as shown on the attached map marked as Appendix "C", be denied, on the following basis:
 - (i) The proposed student residence would be more appropriately located in the downtown; and,
 - (ii) The proposed student residence would not be compatible with adjacent residential uses.
4.
 - (a) That the City of Hamilton endorse the concept of an urban entertainment centre located in downtown Hamilton; and,
 - (b) That staff be directed to prepare an amendment to the Downtown Hamilton Community Improvement Plan for presentation at a public meeting of the Planning and Development Committee on March 25, 1998 to incorporate the goal of an urban entertainment centre in downtown Hamilton; and,
 - (c) That staff of the Planning and Development Department be directed to co-ordinate a staff Committee consisting of representatives from the Real Estate and Purchasing Divisions, Law and Culture and Recreation Departments to advertise, receive, and evaluate proposals for development of an urban entertainment centre in downtown Hamilton for adoption by City Council.
5.
 - (a) That the City of Hamilton implement the following procedures, as requested by the Regional Municipality of Hamilton-Wentworth, regarding Procedures for the Identification/Remediation of potentially Contaminated Sites under the Planning Act review process:
 - (i) To modify standard planning application forms (i.e. Official Plan Amendment, Zoning By-law, Site Plan Control, Subdivisions, Part Lot Control, Minor Variances and Consents) with respect to the questions regarding site contamination contained therein; and,

- (ii) To amend planning application forms to include owner responsibility and acknowledgement clauses in accordance with Appendix "D"; and,
 - (iii) To require applicant(s) to submit a Record of Site Condition (RSC) to the Region in the form set out in the "Guideline for Use at Contaminated Sites in Ontario" (Ministry of Environment and Energy, February 1997), as amended from time to time, as a standard condition of approval when a site is identified as potentially contaminated through circulation of the planning application to the Region; and,
 - (b) That the City Clerk be requested to notify the Regional Municipality of Hamilton-Wentworth of the City of Hamilton's decision.
6. That the Manager of Accounting and Purchasing be authorized and directed to issue an Open Order to Brantford Landscaping & Sodding Ltd., on behalf of the Treasury and Building Departments, based on prices received for Quotation C20-998, to provide final lot grading and sodding as and when required during 1998 in various subdivisions in Hamilton, being the lowest of seven quotations received in accordance with specifications issued by the Manager of Accounting and Purchasing and Vendor's quotation, and be financed through Lot Grading Deficiencies Subdivision Account No. PR53700090.
7. (a) That Schedule "A" and "B" of By-law No. 86-99, as amended, appointing the Ottawa Street B.I.A. Board of Management be repealed and the following names substituted:

SCHEDULE "A"

Alderman D. Wilson
Alderman G. Copps
Alderman D. Haining
Alderman B. Morelli

SCHEDULE "B"

J. Gut	268 Ottawa St. N, Textile Discount Centre, Owner/Tenant
T. Bifano	95 Ottawa St. N, Anton Video, Owner/Tenant
D. Kwiatkowski	201 Ottawa St. N, Beach Road Meats, Owner/Tenant
J. Bazinet	151 Ottawa St. N, L. G. Wallace Funeral Home, Owner/Representative
B. Hodge	110 Ottawa St. N, Hamilton Vacuum Supply, Owner/Tenant
M. Fresco	137 Ottawa St. N, Campbell Glass and Mirror, Owner/Tenant
R. Bagliolid	85 Ottawa St. N, Bell Arte, Owner/Tenant

L. Mattina	289 Ottawa St. N, Nova Sewing Centre, Owner/Tenant
K. Walton	134 Ottawa St. N, KJ's Restaurant, Tenant
K. Shearer	139 Ottawa St. N, Mary's Flower Shop, Owner/Tenant

- (b) That the City Solicitor be authorized and directed to amend By-law No. 86-99 pursuant to (a) above.
8. (a) That the 1998 operating budget of the Ottawa Street B.I.A., attached hereto as Appendix "E" be approved in the amount of \$51,875.56; and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1998 budget as referenced in (a) above; and,
- (c) That the following Schedule of Payments for 1997 be approved:
- | | |
|--------------|-------------|
| March 15 | \$17,291.86 |
| June 15 | \$17,291.85 |
| September 15 | \$17,291.85 |
- NOTE: 1997 Levy arrears will be deducted from the payments for 1998.
9. That the City of Hamilton's Public Works and Traffic Department, in conjunction with the Keep Hamilton Clean Committee, hold the Tenth Annual Public Service Announcement Competition through Mohawk College Media Studies Program and ONtv at a total cost of \$2,500.
10. That the Building Commissioner be authorized to issue a demolition permit for 9 Hillyard, in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
11. That the Building Commissioner be authorized to issue a demolition permit for 11 Hillyard, in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
12. That the Building Commissioner be authorized to issue a demolition permit for 13 Hillyard, in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

13.
 - (a) That approval be given to the request of 800064 Ontario Inc., Anthony Di Silvestro, owner, to remove part-lot control to establish maintenance easements for Lots 14 - 31, inclusive, Registered Plan 62M-825 "Claudette Gardens - Phase 9", as shown on Appendix "F"; and,
 - (b) That the exempting By-law be restricted to a one year effective time period to expire on March 15, 1999; and,
 - (c) That the Director of Planning and Development be authorized to prepare a By-law, to the satisfaction of the City Solicitor, to remove part lot control from Lots 14 - 31, inclusive, Registered Plan 62M-825 "Claudette Gardens - Phase 9" of subdivision be presentation to City Council; and,
 - (d) That following enactment of this By-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the By-law and endorse the same on the By-law.
14.
 - (a) That approval be given to Zoning Application ZAR-98-04, Chedoke Hospital Corporation, owner, requesting removal of the 'H' – Holding provision under Section 36(1) of the Planning Act, R.S.O., 1990, to permit development of the subject lands for a maximum of forty (40) townhouse units, for property located at No. 60 Rice Avenue, shown on the attached map marked as Appendix "G"; and,
 - (b) That the attached By-law marked as Appendix "H", prepared by the Director of Planning in a form satisfactory to the City Solicitor, to amend Zoning By-law No. 6593 as amended by By-law No. 96-113, and Zoning District Map W-37, be forwarded to Council for adoption.
15. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-40 A By-law to Remove Land Within the "Claudette Gardens - Phase 9" Subdivision Plan 62M-825 from Part Lot Control.
 - (b) C-41 A By-law to Repeal Zoning By-law No. 98-064 Respecting Lands Located at the Rear of Municipal Nos. 1451-1471 Upper James Street and South East of DiCenzo Drive.
 - (c) C-42 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the Rear of Municipal Nos. 1451-1471 Upper James Street and South East of DiCenzo Drive.

1998 March 10

- (d) C-43 A By-law to Amend By-law No. 92-078 as Amended by By-law No. 98-045 Respecting Members of the Board of Management of the Main Street West Esplanade Business Improvement Area.
- (e) C-44 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1126 Garth Street.

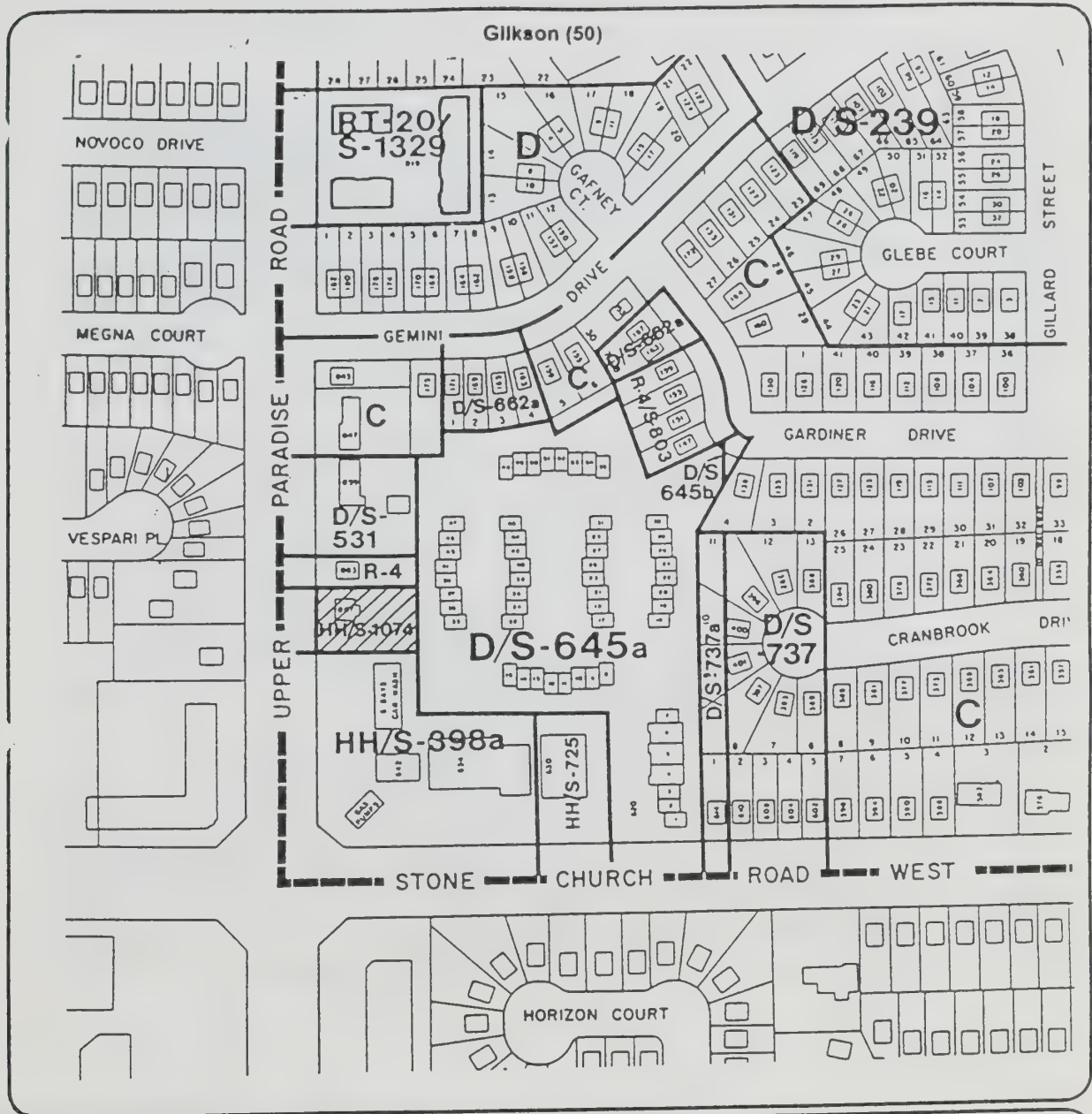
Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Stella Glover, Secretary
1998 March 4**

1998 March 10

Appendix "A" referred to in Section 1(a) of the FIFTH Report of the Planning and Development Committee for 1998



Legend



Site of the Application

City of Hamilton

Location Map

Planning and Development Department

North

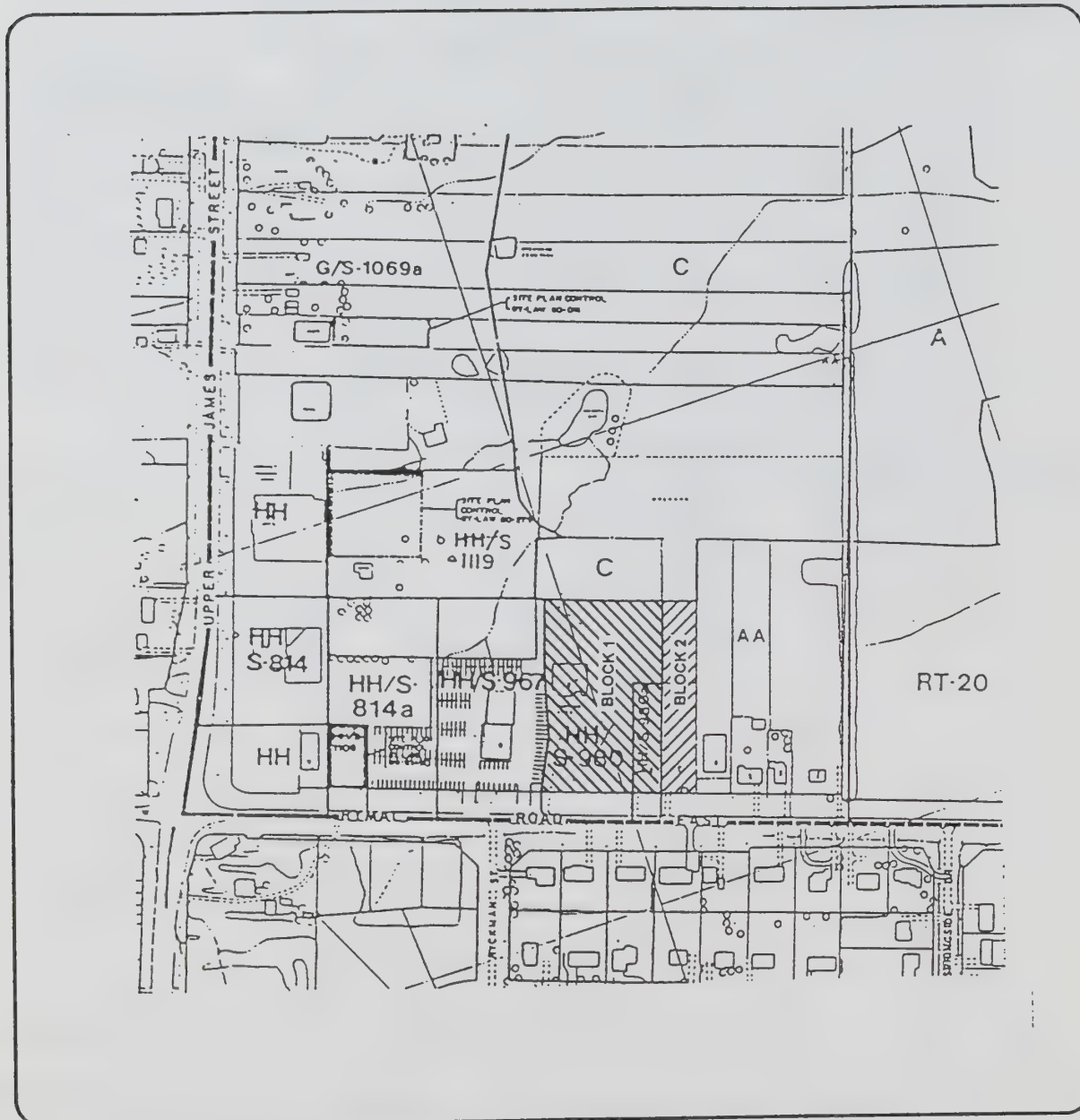


Scale
NOT TO SCALE

Date
JANUARY, 1998

Reference File No
ZAR-98-01

Drawn By
B. B.



Legend

BLOCK 1



Further modification to the established "HH" (Restricted Community Shopping and Commercial, etc.) District

BLOCK 2



Change in zoning from "AA" (Agriculture, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) District

City of Hamilton

Location Map

Planning and Development Department

North



Scale
NOT TO SCALE




Date
MARCH, 1998

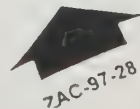
Reference File No.
ZAC-97-38

Drawn By
Fab Angelici



Legend

- | | | |
|---|---|---|
| BLOCK 1 |  | Proposed modification to the established "B" (Suburban Agriculture and Residential, etc.) District. |
| BLOCK 2 |  | |
|  | | Lands To Be Placed Under Site Plan Control |



OWNER RESPONSIBILITY AND ACKNOWLEDGMENT CLAUSES

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable law, laws, regulations and guidelines pertaining to contaminated sites, including, but not limited to the Ministry of Environment and Energy Guidelines for Use at Contaminated Sites (February 1997), as amended.

I further acknowledge that neither the Region of Hamilton-Wentworth nor the Corporation of the City of Hamilton is responsible for the identification and/or remediation of contaminated sites. I also agree, whether in or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, that I will not sue nor make any claim whatsoever against The Regional Municipality of Hamilton-Wentworth, The Corporation of the City of Hamilton, their respective officers, officials, employees, or agents, or any of the foregoing, for or in respect of any loss, damage, injury or costs.

Date

Signature of Property Owner

Print Name of Owner

1998 March 10

Appendix "E" referred to in Section 8(a) of
the **FIFTH** Report of the Planning and
Development Committee for 1998

OTTAWA STREET BIA

1998 BUDGET

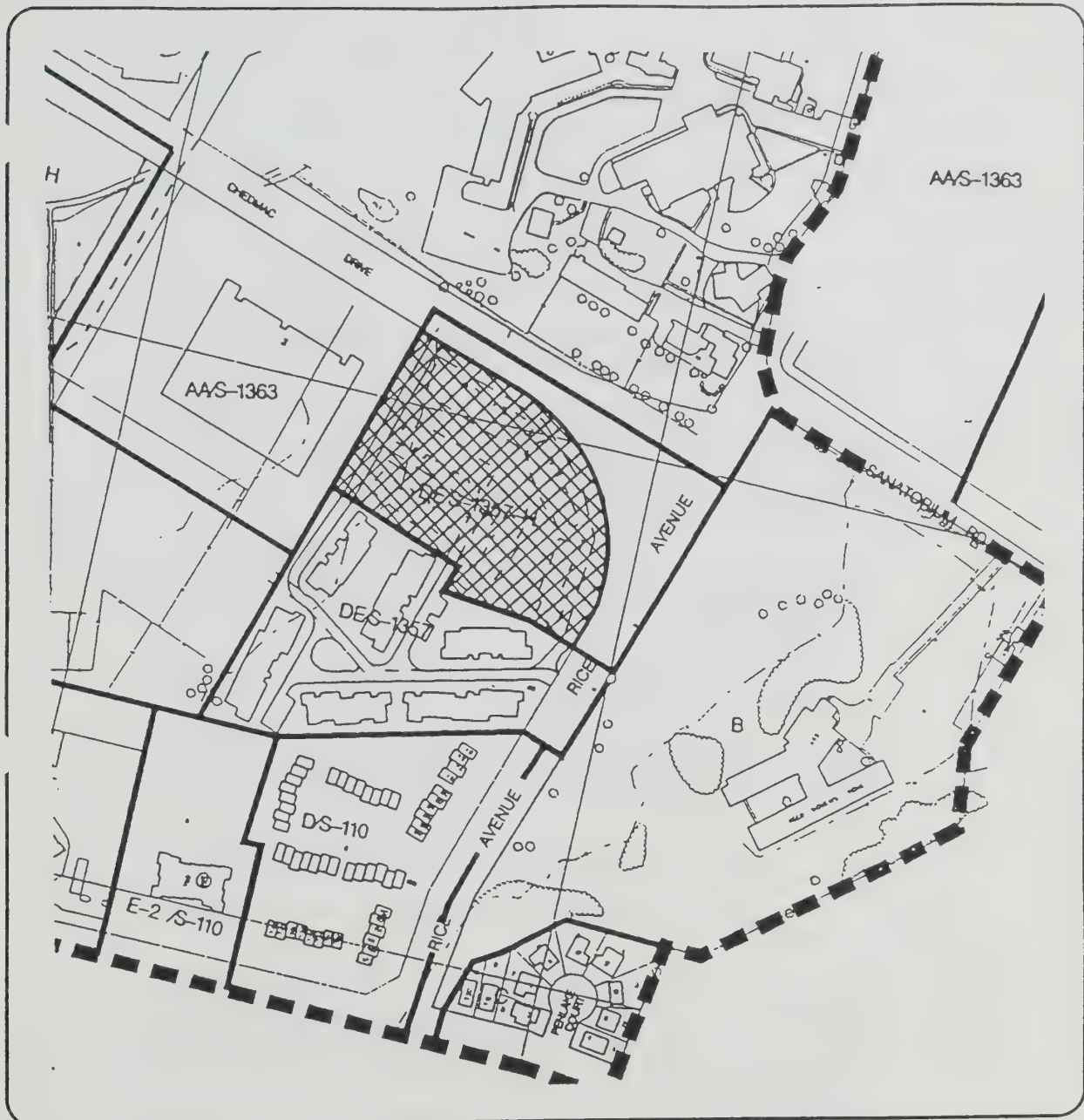
MARKETING AND ADVERTISING		\$25,000.00
-STREETFEST		
-CHRISTMAS		
-PARKING PROGRAM		
OFFICE EXPENSES		
-TELEPHONE	\$1,000.00	
-PRINTING	\$2,500.00	
-RENT	\$1,200.00	
-BOOKKEEPING AND MISC.	\$2,300.00	
MAINTENANCE		
-PLANTERS/FLOWERS		
-CHRISTMAS DECORATIONS	\$5,000.00	
-BANNERS		
(INSTALLATION, REMOVAL, CLEANING)		\$5,000.00
OUTSTANDING LEVIES 1997 PREVIOUS YEAR		\$14,875.56
TOTAL	\$51,875.56	

CLAUDETTE GATE / ROLAND ROAD

Legend: Lot 14 To 31, removal of part lot control.

1998 March 10

Appendix "G" referred to in Section 14(a) of
the FIFTH Report of the Planning and
Development Committee for 1998



Legend



Site of the Application

City of Hamilton

Location Map

Planning and Development Department

North



Scale
NOT TO SCALE

Date
FEBRUARY, 1998

Reference File No.
ZAR-98-04

Drawn By
B. B.

1998 March 10

Appendix "H" referred to in Section 14(b) of the FIFTH Report of the Planning and Development Committee for 1998

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

Zoning By-law No. 6593
As Amended By Zoning By-law No. 96-113

Respecting:

LAND LOCATED AT THE SOUTH-WEST CORNER OF CHEDMAC DRIVE AND
RICE AVENUE (MUNICIPALLY KNOWN AS NO. 60 RICE AVENUE)

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 96-113 on the 25th day of June, 1996 to rezone Block 2 from "AA" (Agricultural) District to "DE" - 'H'(Low Density Multiple Dwellings - Holding) District, and to establish special requirements with respect to Block 2, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which By-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS Section 3 of By-law No. 96-113 provides that upon the applicant completing a noise study, and any required works, to the satisfaction of the Ministry of Environment and Energy for Block 2 of the subject lands, the 'H' symbol shall be removed by amendment to By-law No. 96-113;

AND WHEREAS approval of the noise study, and any required works to the satisfaction of the Ministry of the Environment have been completed;

AND WHEREAS City Council in adopting Item of the th Report of the Planning and Development Committee at its meeting held on the 10th day of March, 1998 directed that By-law No. 96-113 be amended to remove the 'H' (Holding) symbol in respect of the subject lands;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 96-113, passed on the 25th day of June, 1996, to Block 2, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 96-113 and forming part thereof is hereby removed, and the development of the lands may proceed in accordance with the "DE" (Low Density Multiple Dwellings) District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 4. of By-law No. 96-113.
2. Sheet No. W-37 of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 2. of By-law No. 96-113, is further amended by changing Block 2 from "DE" - 'H'(Low Density Multiple Dwellings - Holding) District to "DE" (Low Density Multiple Dwellings) District, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 4. of By-law No. 96-113.
4. By-law No. 6593, as amended by By-law No. 96-113, is further amended by adding this by-law to section 19B as Schedule S-1357a.

1998 March 10

2

5. Sheet No. W-37 of the District Maps, as amended by By-law No. 96-113, is further amended by marking the land referred to in section 2. of this by-law, S-1357a.

6. In all other respects, By-law No. 96-113 is hereby confirmed, unchanged.

PASSED this day of A.D. 1998.

CITY CLERK

MAYOR

(1998) R.P.D.C. , March 10
Chedoke Hospital Corporation (John C. Pelech), agent
ZAR-98-04

FINANCE & ADMINISTRATION
COMMITTEE

1998 March 10

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTH** Report for 1998 and respectfully recommends:

1. That the City Clerk be directed to institute a process for the City's appointee to the Hamilton Harbour Commission to routinely receive reports, information and agendas concerning matters related to Hamilton Harbour issues.
2. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

3 Margate Ave.
18 Lincoln St.
1042 Barton St. E.
97 Paradise Rd. N.

 - (b) That a by-law to authorize the said Extension Agreements be enacted by Council; and,
 - (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.
3. That as referenced in Section 11 of the Third Report for 1998 of the Parks and Recreation Committee, which was approved by City Council at its meeting held 1998 February 24th, that the combined contribution totalling \$12,000 (\$6,000 each) to assist in defraying the costs of the 1998 Ontario Gymnastics Championships April 20 to 24 and the Canadian Gymnastics Championships May 25-30, both to be held at the Chedoke Twin Pad Arena, be financed from the Hosting of Conferences with Municipal Subject Content Account CH 55307 80040.

4.
 - (a) That the amount of \$558,820 be allocated to various Departments as a transitional cost as determined by the Treasurer in accordance with established procedures for such funding; and,
 - (b) That \$35,000 of the Current Budget Surplus be transferred to the Reserve for Hosting of Special Dignitaries; and,
 - (c) That the balance of the Current Budget Surplus (estimated at \$18,300) be transferred to the Reserve for Tax Stabilization.
5.
 - (a) That the costs identified in Appendix "A", attached herewith, relating to the decontamination cleaning of Fire Department apparatus in the amount of \$148,702.60, resulting from the Plastimet Fire of 1997 July 9, be financed from the Reserve for Major Repairs to Mobile Equipment CH00103; and,
 - (b) That the remaining costs as identified in Appendix "A", amounting to \$235,616.16, be financed from the City's 1997 Current Budget Surplus; and,
 - (c) That any subsequent recoveries of such costs as identified in (a) and (b) above, be credited back to the respective reserves; and,
 - (d) That the cost to purchase and erect an aluminium portable fence to protect the property at 363 Wellington Street North at an amount not to exceed \$16,000, be financed from the Reserve for Contingency CH001115.
6. That the Mayor formally write to the Province of Ontario requesting reimbursement to offset the costs incurred by the City of Hamilton to deal with the fire at the Plastimet site at 363 Wellington Street North.
7.
 - (a) That the Committee of the Whole consider the 1998 General Grant requests which include written presentations only, at a meeting (subject to confirmation) 1998 April 16, 10:00 a.m., with an understanding that any Grant approvals will be conditional on the approval of the 1998 Grants Budget, and;
 - (b) That all 1998 General Grant applicants be advised of this process; and,
 - (c) That the 1998 Convention/Reception Grant process continue in a similar fashion to that used in prior years, namely that this remain as a staff administrative process requiring an appropriate application to be completed, adhering to the funding formula of \$4 per participant to a maximum level of \$1,500, and payment of any grant funds be upon receipt of a summary report after the event and consistent with the Convention/Reception Grant Policy.

8.
 - (a) That in 1998, Summer Student Rates which are not part of a collective agreement and Co-op Student Rates be based on 55% - 60% - 65% of the 1993 February 1, interim rate for the equivalent, matched full time position (first step); and,
 - (b) That in 1998 new and returning Co-op and Summer Students be placed in the appropriate steps in accordance with the provisions of the City of Hamilton Summer and Co-op Student Rates Schedule, attached herewith and marked Appendix "B"; and,
 - (c) That in 1999 the Summer and Co-op Student Grid of 55% - 60% - 65% of the first step of the matched rate be deleted and a Grid of 60% - 65% - 70% of the first step of the matched rate be instituted; and,
 - (d) That a three step range be re-instituted for Playlot Leader, Camp Counsellor, Tennis Instructor, Special Needs Counsellor and Youth Leader positions from \$6.85 to \$7.22-\$7.70-\$8.18 per hour; and,
 - (e) That the part-time rate for the Cashier/Receptionist position be amended from \$7.10 to \$7.25 per hour; and,
 - (f) That the Senior Camp Counsellor position be retitled to Camp Kidaca Supervisor and that the rate be amended from \$9.943 to \$11.397-\$11.844-\$12.325 per hour.
9. That after reviewing the evidence and submission of the complainant, Dexter J. McMillan, Solicitor, for the owner of the property, 88 Stone Church Road East, the Council of the City of Hamilton hereby refunds the 5% Land Dedication payment.
10. That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton has no objection to the issuance of a Temporary Extension of Premises Licence to the Slainte Irish Pub, 33 Bowen Street on Tuesday, 1998 March 17th from 11:00 o'clock a.m. to 2:00 o'clock a.m. for a 1,000 square foot tent adjacent to their premises as part of their St. Patrick's Day Celebrations, subject to the following conditions:
 - (a) That the City's Noise By-law be adhered to; and,
 - (b) That the extension area to be licensed is barricaded in accordance with the A.G.C.O. regulations; and,
 - (c) That the security arrangements for this event are made to the satisfaction of the Hamilton-Wentworth Regional Police.

11. That the proceeds from the sale of the Redhill Valley property to the Region, required for the Freeway Project, be credited to a new interest bearing reserve, "Reserve for the Redhill Creek Valley Development", established to address the needs of the Valley consistent with the principles of the Redhill Creek Recreation and Open Space Masterplan.
12.
 - (a) That the Hamilton Parking Authority Board be eliminated as of 1998 March 31, and that City Council, through the Transport and Environment Committee, assume the responsibility for all Parking Authority administration and operations (both on and off-street); and,
 - (b) That By-law No. 8131 which establishes The Parking Authority of the City of Hamilton, be rescinded; and,
 - (c) That the responsibility for administering all municipal parking operations be under the jurisdiction of the Commissioner of Public Works and Traffic by merging the Parking Authority with the Community Traffic Services Division as outlined on the organizational chart, attached herewith and marked Appendix "C"; and,
 - (d) That the Chief Administrative Officer be directed to pursue:
 - (i) The elimination of the Hamilton Parking Authority's General Manager position by negotiating a severance with the incumbent; and,
 - (ii) The reclassification of the Manager of Community Traffic and Parking Services; and,
 - (e) That the Commissioner of Public Works and Traffic be directed to report back within one year with the results of a review of additional cost savings, efficiencies and improved customer service as a result of the merger.
13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) D-17 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
 - (b) D-18 A By-law to Authorize an Amendment to The Renovation and Retrofit of the Huntington Park Recreation Centre.
 - (c) D-19 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

1998 March 10

Respectfully submitted,

**ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1998 March 3**

1998 March 10

Appendix "A" referred
to in Section 5 of the
SEVENTH Report of
the Finance and
Administration
Committee for 1998

Corporation of the City of Hamilton

PLASTIMET FIRE COSTS

As At December 31, 1997

DEPARTMENT	Cleaning -		Excavators /		Hoarding	Misc.	Total
	Fire Apparatus	Salaries/ Overtime	Misc. Equipment	Misc.			
Fire Department							
Public Works and Traffic - Traffic Division	\$148,702.60	\$23,659.00	\$46,719.06	\$64,613.53			\$283,694.19
Public Works and Traffic - Streets Division		\$1,054.90		\$123.78			\$1,178.68
Building Department		\$10,924.88	\$57,088.25	\$6,772.99	\$10,382.40		\$85,168.52
City Clerk / Mayor's Department				\$92.70			\$92.70
Law Department				\$6,162.92			\$6,162.92
C & R - Property Maintenance Division				\$127.98			\$127.98
Chief Administrative Officer				\$2,333.32			\$2,333.32
Culture and Recreation				\$1,130.00			\$1,130.00
Miscellaneous Other Departments				\$4,073.50			\$4,073.50
				\$356.95			\$356.95
TOTAL	\$148,702.60	\$35,638.78	\$103,807.31	\$85,787.67	\$10,382.40		\$384,318.76

Plastimet Costs Incurred / To Be Incurred In 1998:

Public Works - Aluminum Portable Fencing (upset limit)

Fire Department - Tarp / Radio Replacement

Long-Term Medical Surveillance Programme (1998 portion) - financed from 1998 Fire Department current budget

\$16,000.00

\$5,500.00

\$210,000.00

23-Feb-98

**City of Hamilton
Summer and Co-op Student Rates**

Effective January 1, 1998 summer student and co-op student rates will be matched to the February 1, 1993 (interim rate) CUPE 167 job rates. Jobs associated with CUPE Local 5 will be paid in accordance with that collective agreement.

Co-op Students

New Co-op Students: All new co-op students will be hired at 55% of the equivalent, matched full time position. The actual rates will be based on the February 1, 1993 interim rates (first step).

Returning Co-op Students: All returning co-op students will be rehired at the next percentage step above the percentage step paid in 1997. The actual rates will be based on the February 1, 1993 interim rates (first step).

Back-to-Back Co-op Terms: Co-op students who, on January 1, 1998 are commencing their second placement in back-to-back work terms, will move to the next percentage step above the percentage step paid in 1997 using the February 1, 1993 interim rates. Co-op students who complete two or more co-op terms in one calendar year are paid at the same percentage step for each term.

Summer Students

New Summer Students: All new summer students will be hired at 55% of the equivalent, matched full time position. The actual rates will be based on the February 1, 1993 interim rates (first step).

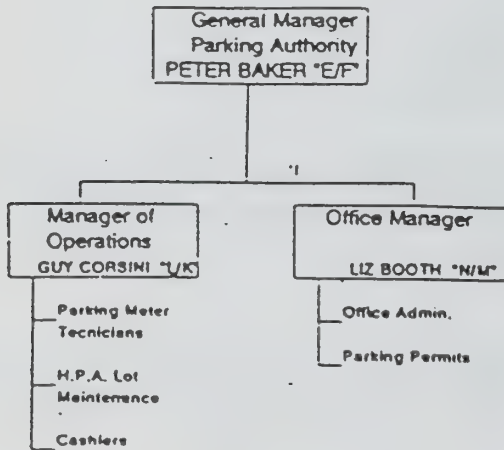
Returning Summer Students: All returning summer students will be rehired at the next percentage step above the percentage step paid in 1997. The actual rates will be based on the February 1, 1993 interim rates (first step).

Effective January 1, 1999 the percentage steps will change from 55%-60%-65% to 60%-65%-70%.

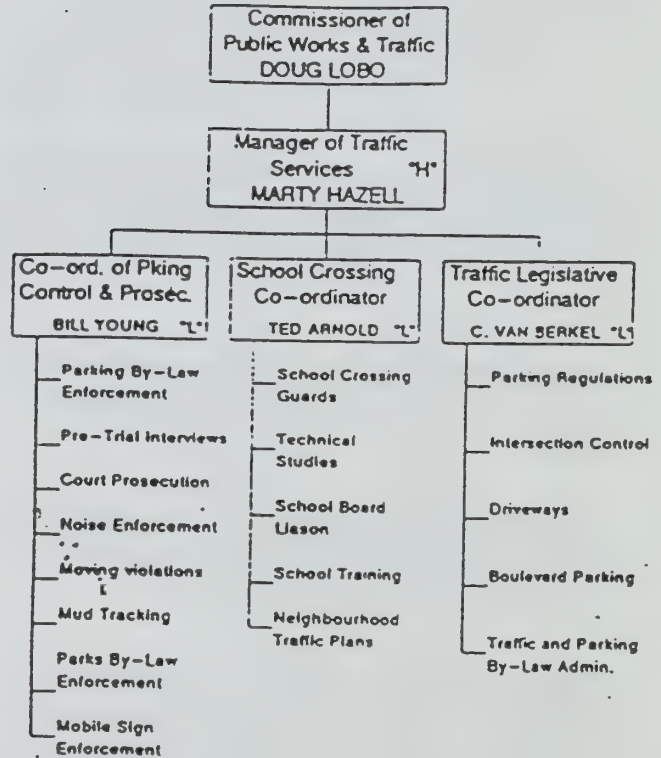
1998 March 10

Appendix "C" referred to in Section 12 of the SEVENTH Report of the Finance and Administration Committee for 1998

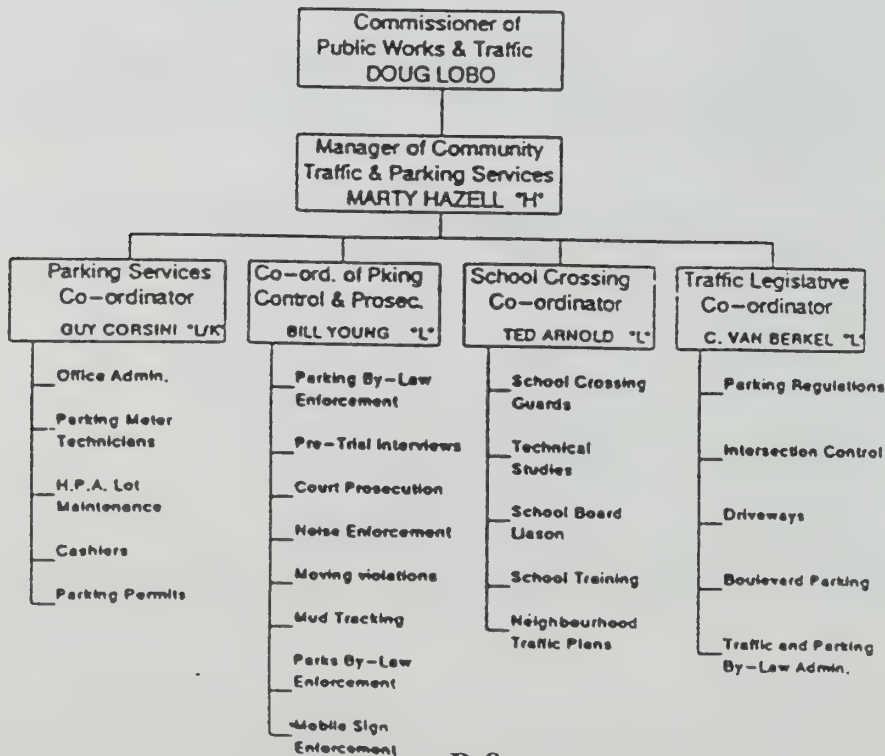
EXISTING



EXISTING



PROPOSED



L I C E N S I N G C O M M I T T E E

1998 March 10

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FIRST** Report for 1998 and respectfully recommends:

1. That Michael MacNeil be suspended of his Tow Truck Driver Licence for a 1 month period.

Confidential background information provided to members of City Council under separate cover.

Respectfully submitted,

**ALDERMAN F. EISENBERGER
CHAIRPERSON
LICENSING COMMITTEE**

**Debbie-Ann Rashford, Secretary
1998 March 4**

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1998 MARCH 10
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

TO SELL A CLOSED PORTION OF GARNET AVENUE AND
MACLANDERS STREET DESIGNATED AS PART 18 ON PLAN 62R-11788

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the said Garnet Avenue and MacLanders Street have been closed by Judge's Order registered as 301990 AB and as authorized by City Council in adopting Item 22 of the 20th Report of the Finance and Administration Committee on 1997 September 30.

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

AND WHEREAS notice of the City's intention to pass this By-law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton.

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of the By-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the sale of the closed portion of Garnet Avenue and MacLanders Street designated as:

Part 18 on Plan 62R-11788.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

is hereby authorized.

2. That the above mentioned lands be sold to the Region of Hamilton-Wentworth along with other lands for the sum of \$2.00 as authorized by City Council on 1997 September 30.

PASSED this

day of

A.D. 1998

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

TO SELL PARTS OF THE CLOSED ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 32 & 33 CONCESSION 4 AND BETWEEN CONCESSIONS 3 & 4 AND BETWEEN LOTS 30 & 31 CONCESSION 3 ALL IN THE GEOGRAPHIC TOWNSHIP OF SALTFLEET AND PART OF CLOSED WOODWARD AVENUE AND PART OF THE CLOSED WOODWARD AVENUE TRAFFIC CIRCLE.

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS a portion of the road allowance between Lots 32 & 33 was closed by Township By-law 145 registered as Instrument 109231AB, a portion of the road allowance between Lots 32 & 33 was closed by Township By-law 146, unregistered, all in Concession 4, in the geographic township of Saltfleet, a portion of the road allowance between Concessions 3 & 4 in the geographic township of Saltfleet was closed by By-law 73-237, registered as Instrument No. 304001AB, a portion of the road allowance between Lots 30 & 31 in Concession 3 in the geographic township of Saltfleet was closed by By-law 7644 registered as Instrument No. 1714, a portion of Woodward Avenue was closed by Judge's Order registered as Instrument No. 61766AB, a portion of Woodward Avenue traffic circle on Registered Plan 876 and Part of Block F on registered Plan 865 was closed by Judge's Order registered as Instrument No. 69776AB.

AND WHEREAS the Council of the Corporation of the City of Hamilton in adopting item 9 of the 1st Report of the Parks and Recreation Committee on 1997 December 11 authorized the City to sell the above noted closed roads.

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

AND WHEREAS notice of the City's intention to pass this By-law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the following lands designated as:

Part of Part 9, Plan 62R-11165, being part of the Original road allowance between Lots 32 & 33 Concession 4, in the geographic township of Saltfleet closed by Township By-law No. 145, registered as Instrument No. 109231AB at the sale price of \$3,268.90.

Part of Part 4, Plan 62R-11164, being part of the Original road allowance between Lots 32 & 33 Concession 4, in the geographic township of Saltfleet closed by Township By-law No. 146, unregistered and closed by Township By-law No. 145 registered as Instrument No. 109231 AB at the sale price of \$7,140.47.

Part of Part 4, Plan 62R-11340, being part of the Original road allowance between Concessions 3 & 4, in the geographic township of Saltfleet as closed by By-law No. 73-237, registered as Instrument No. 304001AB, other than the portion thereof shown on the attached sketch, at the sale price of \$2,714.41.

Part of Part 2, Plan 62R-11249, being part of the road allowance between Lots 30 & 31, Concession 3, in the geographic township of Saltfleet closed by By-law No. 7644, registered as Instrument No. 1714 at the sale price of \$82.85.

Part of Part 1, Plan 62R-11263, being part of Woodward Avenue established by Registered Plan 876 and closed by Judge's Order, registered as Instrument No. 61766AB at the sale price of \$3,722.14.

Part of Part 1, Plan 62R-11231, being part of the Woodward Avenue Traffic Circle Plan 876 and Part of Block "F", Plan 865, closed by Judge's Order, registered as Instrument No. 69776AB at the sale price of \$2,647.93.

City of Hamilton
Regional Municipality of Hamilton-Wentworth

be sold to The Regional Municipality of Hamilton-Wentworth (along with other lands) pursuant to the Region's Offer dated 1997 November 11 accepted by City Council on 1997 December 11.

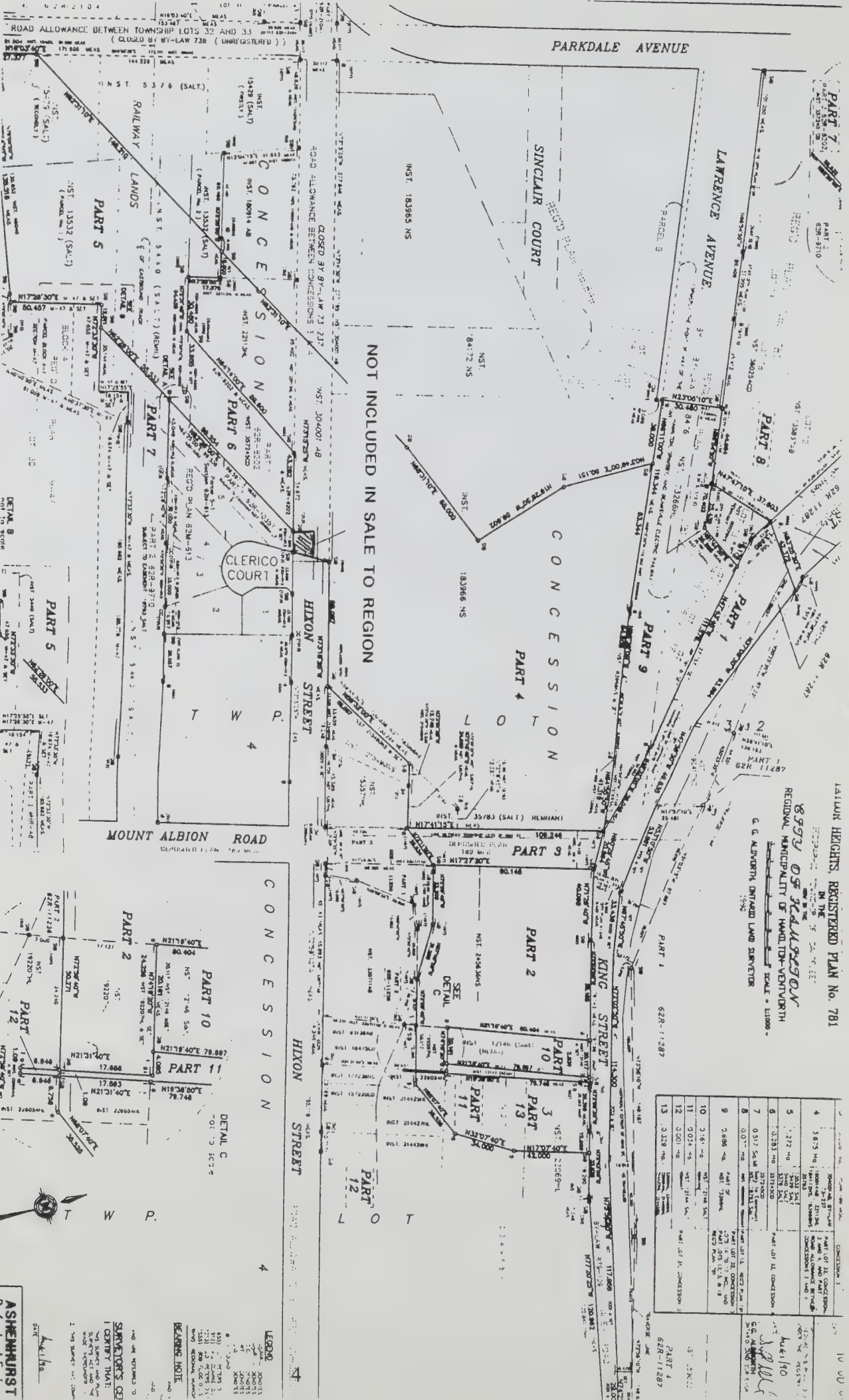
PASSED this

day of

A.D. 1998

City Clerk

Mayor



141400 HIGHER, REGISTERED PLAN No. 781

8999 OF 364492000

REGIONAL MUNICIPALITY OF HAMILTON-ONTARIO

C. G. ALBERT, DRAFTED LAND SURVEYOR

CONCESSION	AREA	REMARKS
4	3.575 Hq.	PART OF 12 CONCESSION
5	1.272 Hq.	PART OF 12 CONCESSION
6	0.138 Hq.	PART OF 12 CONCESSION
7	0.517 Hq.	PART OF 12 CONCESSION
8	0.077 Hq.	PART OF 12 CONCESSION
9	0.068 Hq.	PART OF 12 CONCESSION
10	0.161 Hq.	PART OF 12 CONCESSION
11	0.054 Hq.	PART OF 12 CONCESSION
12	0.001 Hq.	PART OF 12 CONCESSION
13	0.219 Hq.	PART OF 12 CONCESSION

LEGEND

1. CONCESSION

2. NOT INCLUDED IN SALE TO REGION

3. RAILWAY

4. ROAD

5. WATER

6. TREES

7. BUILDINGS

8. FENCES

9. POWER LINES

10. TELEPHONE LINES

11. CREEKS

12. SWAMP

13. OTHER

BEARING NOTE

1. ALL BEARINGS TO SURVEYORS OF 1911

2. ALL BEARINGS TO SURVEYORS OF 1911

3. ALL BEARINGS TO SURVEYORS OF 1911

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11. ALL BEARINGS TO SURVEYORS OF 1911

12. ALL BEARINGS TO SURVEYORS OF 1911

13. ALL BEARINGS TO SURVEYORS OF 1911

ASHEMURST

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-14277
INTO CENTENNIAL PARKWAY

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Centennial Parkway within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Centennial Parkway.

Part of Lot 27, Concession 1, in the geographic township of Saltfleet designated as Part 1 on Plan 62R-14277.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1998

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 25 (Parking Time Limits)** of said By-law, as amended, is hereby further amended by adding thereto the following items, namely:-

"Angela	Both	West 31st to West 32nd	1 hr	8 am - 6 pm	Mon - Fri
West 32nd	Both	Angela to Leslie	1 hr	8 am - 6 pm	Mon - Fri."

2. That **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Barnesdale	East	Dunsmure to Vineland		Anytime
Towercrest	North	commencing 109 feet east of Colin and extending 40 feet easterly therefrom		Anytime
King William	North	commencing 32 feet west of Hughson and extending 30 feet westerly therefrom	8 am - 6 pm	Mon - Sat."

and by deleting therefrom the following items, namely:-

"Macauley	North	commencing at a point 228 feet west of MacNab to a point 27 feet westerly therefrom		Anytime
King William	North	commencing at a point 32 ft. west of Hughson to a point 30 ft. westerly therefrom		Anytime."

3. That **Schedule 27 (Alternate Side Parking)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Barnesdale Avenue South	West	East."
Vineland Avenue to King Street East		

and deleting therefrom the following item, namely:-

"Barnesdale Avenue South	West	East."
Dunsmure Road to King Street East		

4. That **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Avondale	East	commencing 124 feet north of Primrose and extending 18 feet northerly therefrom	Anytime
Avondale	West	commencing 39 feet north of Primrose and extending 18 feet northerly therefrom	Anytime
East 19th	East	commencing 232 feet south of Concession and extending 16 feet southerly therefrom	Anytime
East 8th	East	commencing 396 feet south of Queensdale and extending 22 feet southerly therefrom	Anytime
Clinton	North	commencing 78 feet east of Barnesdale and extending 17 feet easterly therefrom	Anytime
Clinton	South	commencing 61 feet east of Barnesdale and extending 18 feet easterly therefrom	Anytime."

5. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
6. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this day of 1998.

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of said By-law, as amended, is hereby further amended by adding thereto the following items, namely:-

"Towercrest	Westbound	Colin
Bernard	Southbound	Martha
Blair	Southbound	Martha
Springside	Northbound and Southbound	Kirkfield."

2. That **Schedule 28 (Taxi Stands)** of said By-law is hereby amended by adding thereto the following item, namely:-

"East 27th	East	45 feet	121 feet north of Burkholder	7:00 am - 6:00 pm Monday to Friday."
------------	------	---------	---------------------------------	---

3. That **Schedule 29 (No Stopping Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Hummingbird	East	Skylark to a point 64 feet northerly	Anytime
Hummingbird	West	Skylark to a point 75 feet northerly	Anytime."

4. That **Schedule 30 (Commercial Vehicle Loading Zones)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Crockett	South	30 ft.	25 ft. west of East 22nd	8:00 a.m. - 6:00 p.m. Monday to Friday."
-----------	-------	--------	--------------------------	---

5. That **Schedule 35 (Wheelchair Loading Zones)** of said By-law be amended by adding thereto the following item, namely:-

"Florence South 25 feet 83 feet west of Ray 8:00 a.m. - 5:00 p.m."
6. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
7. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this day of 1998.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 98—

To Remove
Land within the "Claudette Gardens - Phase 9" Subdivision
Plan 62M-825 from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements, shall not apply to the following lands:

Lots 14 - 31, inclusive, within Registered Plan Number 62M-825, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.

2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
- (c) This By-law shall expire on March 15, 1999.

PASSED this day of

A.D. 1998.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Repeal:

Zoning By-law No. 98-064

Respecting:

**LANDS LOCATED AT THE REAR OF MUNICIPAL NOS.
1451-1471 UPPER JAMES STREET AND SOUTH EAST OF DICENZO DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July, 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 98-064 on the 10th day of February, 1998, to establish special requirements under Section 10 of Zoning By-law No. 6593, for the "D" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS Notice of the said By-law was not circulated as required by the Planning Act due to the non-payment of the required application fees;

AND WHEREAS it is therefore expedient to repeal the said By-law No. 98-064;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 98-064, passed on the 10th day of February, 1998, is hereby repealed in its entirety.

PASSED this day of

A.D. 1998.

CITY CLERK

MAYOR

(1998) 3 R.P.D.C. 9(d), February 10
900074 Ontario Inc. Setay Investment c/o Mr. Gordon Albini, Owner
Amended ZAC-97-24

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT THE REAR OF MUNICIPAL NOS.
1451-1471 UPPER JAMES STREET AND SOUTH EAST OF DICENZO DRIVE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, the land comprised in Blocks "1" and "3" ;
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District, the land comprised in Block "2" ;
- (c) by changing from "RT-30" (Street-Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, the land comprised in Block "4" ;

the extent and boundaries of each of which Blocks 1, 2, 3 and 4 are shown on a plan hereto annexed as Schedule "A".

2. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks "1", "3" and "4" are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 10.(4)(ii) of Zoning By-law No. 6593, a two family dwelling shall provide and maintain a lot width of at least 16.0 m and an area of at least 515.0 m².

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1395.

5. Sheet No. E-9D of the District Maps is amended by marking the lands referred to in section 1. (a) and (c) of this by-law, S-1395.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

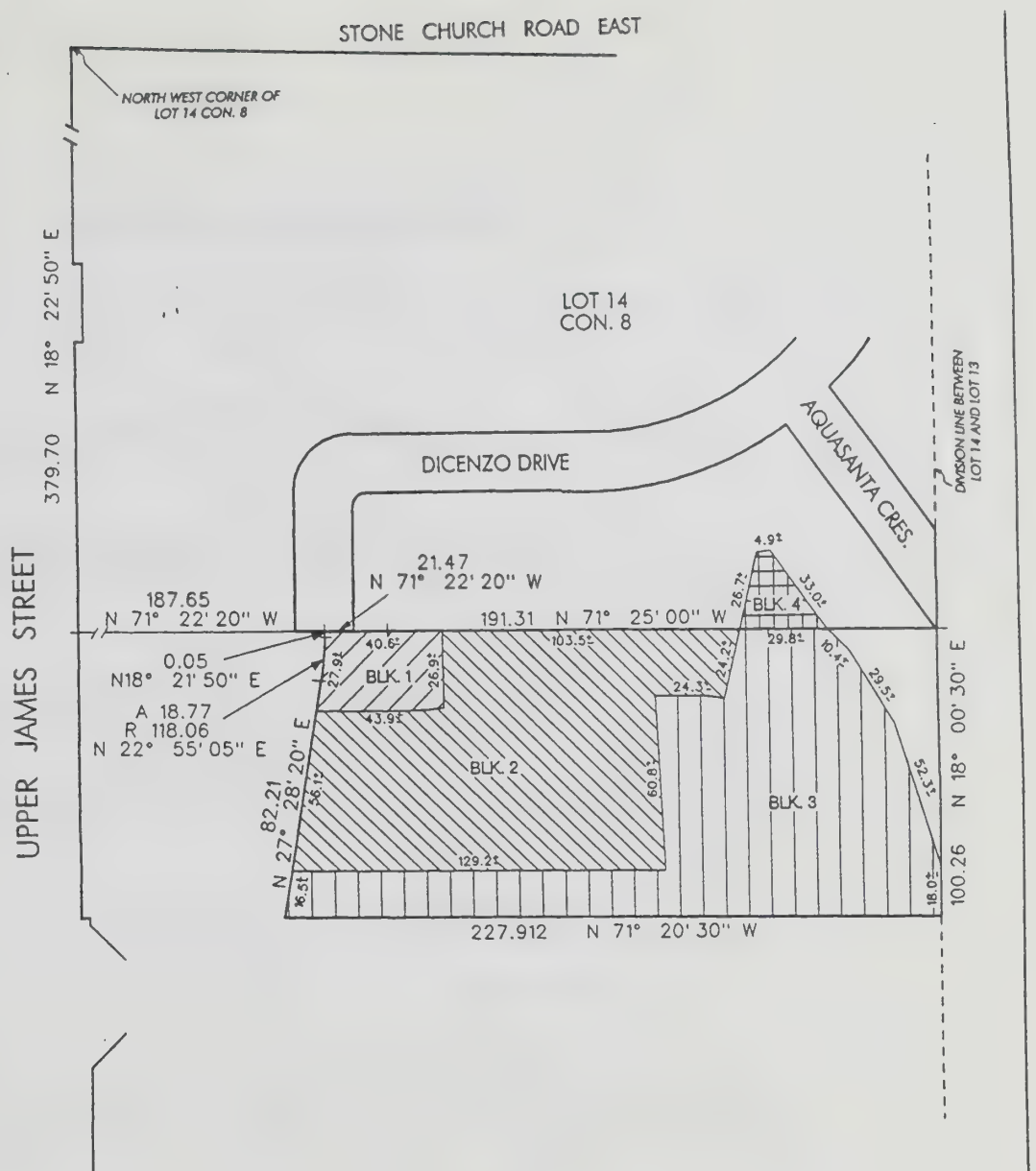
day of

A.D. 1998

CITY CLERK

MAYOR

(1998) 3 R.P.D.C. 9(d), February 10
 900074 Ontario Inc. Setay Investment c/o Mr. Gordon Albini, Owner
 Amended ZAC-97-24



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-.....
Passed the day of, 1998.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 98-.....
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

- BLK. 1 "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.
- BLK. 2 "C" (Urban Protected Residential, etc.) District to "RT-30" (Street - Townhouse) District.
- BLK. 3 "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.
- BLK. 4 "RT-30" (Street - Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.

North



Scale
Not to Scale

Date
Feb. 1998

Reference File No.
ZAC-97-24

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

By-law No. 92-078
As Amended by By-law No. 98-045

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT
OF THE MAIN STREET WEST ESPLANADE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 92-078, passed on the 10th day of March 1992, provided for a Board of Management of the Improvement Area designated by By-law No. 90-197, passed on the 26th day of June 1990, known as the "Main West Esplanade Business Improvement Area", more particularly described in By-law No. 90-197, as amended by By-law No. 96-168, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302, (now Section 220(1) and Section 220(6) of the Municipal Act, R.S.O. 1990, Chapter M.45);

AND WHEREAS By-law No. 98-045, passed on the 27th day of January 1998 varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 98-045;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 4 of the 4th Report of the Planning and Development Committee on the 24th day of February 1998, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2.(a) of By-law No. 92-078, as amended, is repealed and the following substituted therefor:

Alderman M. Kiss
Alderman M. Caplan

2. Schedule "B" referred to in clause 2.(b) of By-law No. 92-078, as amended, is repealed and the following substituted therefor:

J. Bourinot	Dairy Queen
I. Kobylanski	Izzy's Restaurants
J. Castellano	Castellano Real Estate
J. Morrison	Royal Bank
B. Hughes	Tim Hortons
M. Gunn	Mor Car Wash
M. Farrugia	

3. By-law No. 98-045 is hereby repealed in its entirety.
4. In all other respects, By-law No. 92-078 is hereby confirmed, unchanged.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

(1998) 4 R.P.D.C. 4, February 24

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1126 GARTH STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27A of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "RT-20"-'H' (Townhouse - Maisonette - Holding) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol referred to in section 1 shall be removed conditional upon the prospective owner applying for and receiving approval of a Site Plan Control application.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "RT-20" District provisions.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

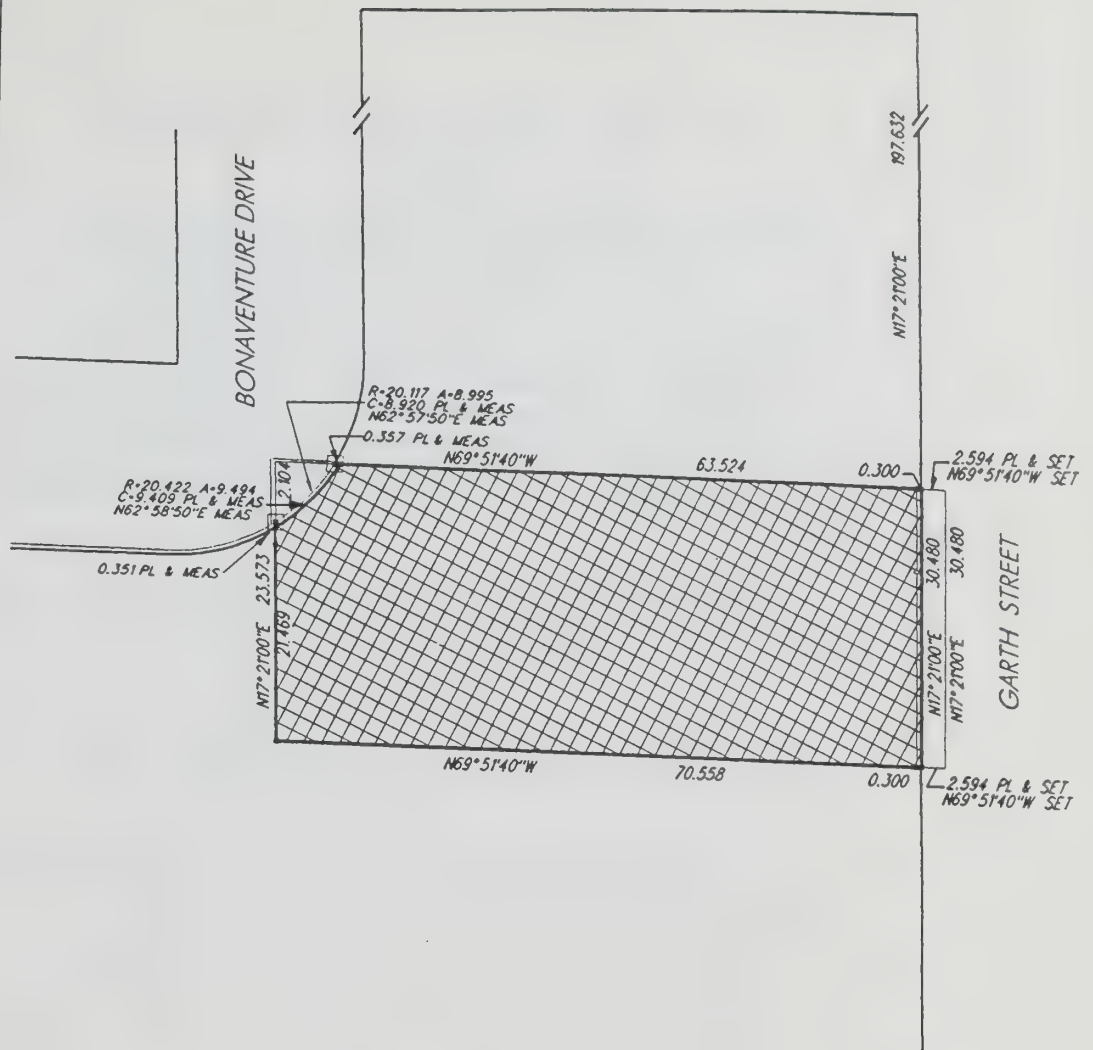
PASSED this

day of

A.D. 1998

CITY CLERK

MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-.....
Passed the day of, 1998.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-_____

to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in Zoning from:



"AA" (Agricultural) District, to "RT-20" - "H"
(Townhouse - Maisonette - Holding) District.

North



Scale
NOT TO SCALE

Date
FEBRUARY 1998

Reference File No. 7

ZAC-97-34

Drawn By

B.B.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.98-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this

day of

1998, A.D.,

CITY CLERK

MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

- | | | |
|----|---------------------------|-----------------------------|
| 1) | PROPERTY ADDRESS | 3 MARGATE AVE. |
| | SERIAL NUMBER | 06 05510 6900 |
| | BRIEF LEGAL DESCRIPTION | PLAN 1253 LOT 33 |
| | DATE OF REGISTRATION | SEPTEMBER 9, 1997 |
| | TAX ARREARS CERTIFICATE # | LT469291 |
| | REDEMPTION DATE | SEPTEMBER 9, 1998 |
| | TOTAL ARREARS | \$19,485.73 |
| 2) | PROPERTY ADDRESS | 18 LINCOLN ST. |
| | SERIAL NUMBER | 04 02860 3390 |
| | BRIEF LEGAL DESCRIPTION | PLAN 414 PART LOT 4 |
| | DATE OF REGISTRATION | NOVEMBER 12, 1997 |
| | TAX ARREARS CERTIFICATE # | LT478381 |
| | REDEMPTION DATE | NOVEMBER 12, 1998 |
| | TOTAL ARREARS | \$5,772.77 |
| 3) | PROPERTY ADDRESS | 1042 BARTON ST. E. |
| | SERIAL NUMBER | 04 02860 1030 |
| | BRIEF LEGAL DESCRIPTION | PLAN 463 LOT 4 PART LOT 5 |
| | DATE OF REGISTRATION | SEPTEMBER 2, 1997 |
| | TAX ARREARS CERTIFICATE # | LT468430 |
| | REDEMPTION DATE | SEPTEMBER 2, 1998 |
| | TOTAL ARREARS | \$22,279.51 |
| 4) | PROPERTY ADDRESS | 97 PARADISE RD. N. |
| | SERIAL NUMBER | 01 00630 6080 |
| | BRIEF LEGAL DESCRIPTION | PLAN 634 PART LOT 902 & 903 |
| | DATE OF REGISTRATION | NOVEMBER 5, 1997 |
| | TAX ARREARS CERTIFICATE # | VM240491 |
| | REDEMPTION DATE | NOVEMBER 5, 1998 |
| | TOTAL ARREARS | \$10,574.65 |

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

To Authorize an Amendment to:

THE RENOVATION AND RETROFIT OF THE
HUNTINGTON PARK RECREATION CENTRE

WHEREAS by Order dated the 11th day of July 1991, The Ontario Municipal Board approved the renovation and retrofit of the Huntington Park Recreation Centre and the issuance of debentures in the amount of \$3,200,000.00;

AND WHEREAS By-law No. 91-148 was enacted by City Council on July 30, 1991 to authorize the Renovation and Retrofit of the Huntington Park Recreation Centre and the issuance of debentures at a maximum of \$3,200,000.00;

AND WHEREAS the Council of The Corporation of the City of Hamilton, on April 13, 1993, in adopting Item 18 of the 8th Report of the Finance and Administration Committee, authorized a change in the gross cost amount and the debentured amount of this project;

AND WHEREAS By-law 93-126 was enacted to set the gross cost of this project at \$3,385,000.00;

AND WHEREAS Council on January 27, 1998 in adopting Section 10 of the 3rd Report of the Finance and Administration Committee authorized the gross cost of the project to be increased to \$3,415,840.00;

AND WHEREAS Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

AND WHEREAS the financial commitments, liabilities and debt charges of the project listed below and The Corporation of the City of Hamilton's other debts and debt charges will not exceed the City's debt limit as specified by the Municipal Act and Regulation 710/92;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The gross cost of the renovation and retrofit of the Huntington Park Recreation Centre is increased by \$30,840.00 to \$3,415,840.00.
2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this 10th day of March 1998, A.D.

ACTING CITY CLERK

MAYOR

BY-LAW NO. 98 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 10th DAY OF MARCH, 1998.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 10th day of March 1998

ACTING CITY CLERK

ACTING MAYOR

CAY ON HBL AOS
A31
1998



URBAN MUNICIPAL

MAR 31 1998

GOVERNMENT DOCUMENTS

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, March 31, 1998
7:30 o'clock p.m.
Council Chambers, City Hall**

J. J. Schatz, City Clerk

A G E N D A

- 1. National Anthem.**
- 2. Opening Prayer: Rev. James Ross Dickey, B.A., B.D.
St. Paul's Presbyterian Church**
- 3. Presentations**
 - (a) Certificates of Recognition**

Jennifer Davino

**John Howard, Chair
Barton B.I.A.**

**Frank Gombar
Robert Dynes**
 - (b) John Hughes, Director of Ministry of Transportation of Ontario, Safety Policy Branch, to present an Award Plaque to Mayor Robert Morrow through the Hamilton Safety Council.**

**Bob Brown, Chair
Hamilton Safety Council**

**Wes Shoemaker, Fire Chief
Robert Middaugh, Police Chief**
- 4. Adoption of the minutes of the meetings held 1998 March 10 and March 25-26, 1998.**
- 5. Presentation of petitions and correspondence by the Clerk.**
- 6. Reference of Correspondence\Petitions by the Mayor.**

*The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill*

7. ***Motion to move into Committee of the Whole on the Reports.***
8. ***Consideration of Standing Committee Reports:***
 - (c) *Planning and Development Committee*
 - (d) *Finance and Administration Committee*
 - (e) *City of Hamilton Licensing Committee*
 - (f) *Hamilton-Scourge Steering Committee (report to follow)*
9. ***Motion to Adopt the Report of the Committee of the Whole.***
10. ***Motion to appoint an Acting Mayor for the month of April, 1998.***
11. ***Question Period.***
12. ***Adjournment.***

MINUTES

Minutes of Hamilton City Council
Tuesday, 1998 March 10
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Acting Mayor Corsini.
Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Collins,
Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan.

Absent: Mayor R. Morrow - Civic Business

Acting Mayor R. Corsini, called the meeting to order.

* * * * *

The National Anthem was sung.

* * * * *

Rabbi Irwin Zeplovitz, Anshe Sholom Synagogue led Council in prayer.

ADOPTION OF MINUTES

The minutes of the following meetings were adopted as circulated.

- (a) 1998 February 24 (regular meeting)
- (b) 1998 February 27 (special meeting)

CORRESPONDENCE

1. Application dated 1998 February 26 from 819802 Ontario Limited, Giovanni Fortino, 7055 Twenty Road East, Hannon, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "RT-30" (Street - Townhouse) District modified for 41 and 51 Wilson Street & 99 John Street North, Hamilton, Ontario

Received.

2. Letter dated 1998 March 5 from Dennis Concordia, Board Member, Police Services Board Re: Graffiti Task Force Advisory Committee.

Referred to the Transport and Environment Committee.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Acting Mayor Corsini, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTH REPORT

Section 2 Re: Red Hill Valley Lands

Recorded vote.

YEAS: Aldermen Caplan, Morelli, Haining, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -11.

NAYS: Acting Mayor Corsini, Aldermen Kiss, Horwath, Copps, Wilson.-5.
CARRIED.

* * * * *

Rule No. 9 Re: Parking Regulation

It was moved by Alderman Collins and seconded by Alderman Wilson that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution and by-law respecting a parking regulation at the intersection of Reid Avenue South and Central Avenue.
CARRIED.

* * * * *

Section 26 Re: Parking Regulation

It was moved by Alderman Collins and seconded by Alderman Wilson that the following resolution be added as Section 26 of the Fifth Report of the Transport and Environment Committee for 1998:

26. (a) That the existing northbound stop sign at the intersection of Reid Avenue South and Central Avenue be replaced with a yield sign and that the City Traffic By-law No. 89-72 be amended accordingly; and,
- (b) That the following Bill be adopted, signed, sealed and enrolled as a By-law:
- (i) A-28 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic.

CARRIED.

PARKS AND RECREATION COMMITTEE - FOURTH REPORT

Section 2 Re: Hamilton Civic Golf Courses 1998 Rates and Fees - Appendix "A"

It was moved by Alderman Kiss and seconded by Alderman Caplan that Appendix "A" as referred to in Section 4 of the Fourth Report of the Parks and Recreation Committee for 1998 regarding the Hamilton Civic Golf Courses 1998 Rates and Fees be deleted and replaced with the attached schedule. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - FIFTH REPORT

Section 3 Re: Mohawk College Residence

Recorded vote.

YEAS: Acting Mayor Corsini, Aldermen Copps, Charters, Jackson, D'Amico, O'Sullivan. -6.

NAYS: Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Eisenberger, Collins, Anderson, Kelly. -9. **LOST.**

* * * * *

Section 16 Re: Mohawk College

It was moved by Alderman Eisenberger and seconded by Alderman Kelly that the following be added as Section 16 of the Fifth Report of the Planning and Development Committee for 1998:

16. (a) That Amended Application 97-28, Mohawk College of Applied Arts and Technology, owner, for an Official Plan Amendment, to establish a "Special Policy Area", to permit a private recreational facility within the "Major Institutional" designation, for "Block 1" only, for lands located at No. 135 Fennell Avenue West, as shown on the attached Appendix "C", be approved; and,

- (b) That Amended Zoning Application 97-28, Mohawk College of Applied Arts and Technology, owner, for a modification to the established "B" (Suburban Agriculture and Residential, etc.) District regulations, for Blocks "1" and "2", for lands located at No. 135 Fennell Avenue West, to permit development of Block "1" for a student residence containing a maximum of 250 units or a student residence containing a maximum of 180 units and a private tennis club, as shown on the attached map marked as Appendix "C", be approved; and,
- (c) That all the terms and conditions identified in the Staff Report dated 1998 March 4, apply to this zoning application as approved.

* * * * *

Section 16 Re: Mohawk College Residence

It was moved by Alderman Jackson and seconded by Alderman Collins that Section 3 of the Fifth Report for 1998 of the Planning and Development Committee respecting a Zoning Application from Mohawk College for property at 135 Fennell Avenue West be tabled for one month in order for all parties involved to try to reach a mutually agreeable solution.

Recorded vote on motion to table.

YEAS: Aldermen Kiss, Horwath, Haining, Copps, Collins, Charters, Jackson, O'Sullivan. -8.

NAYS: Acting Mayor Corsini, Aldermen Caplan, Morelli, Wilson, Eisenberger, Anderson, Kelly, D'Amico. -8. **LOST ON A TIE VOTE**

* * * * *

Recorded vote to approve Section 16.

YEAS: Aldermen Kiss, Caplan, Horwath, Morelli, Wilson, Eisenberger, Collins, Anderson, Kelly. -9.

NAYS: Acting Mayor Corsini, Aldermen Haining, Copps, Charters, Jackson, D'Amico, O'Sullivan. -7. **CARRIED.**

* * * * *

Section 4 Re: Urban Entertainment Centre

It was moved by Alderman Copps and seconded by Alderman Caplan that Section 4 of the FIFTH Report of the Planning and Development Committee for 1998 be amended by inserting the word "family" before the words "urban entertainment centre". **CARRIED.**

* * * * *

Section 15 Re: By-law C-45: A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 96-113 Respecting Land Located at the South-West Corner of Chedmac Drive and Rice Avenue (Municipally Known as No. 60 Rice Avenue).

It was moved by Alderman D'Amico and seconded by Alderman Copps that Section 15 of the FIFTH Report of the Planning and Development Committee be amended by adding sub-section (f) as follows:

C-45 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 96-113 Respecting Land Located at the South-West Corner of Chedmac Drive and Rice Avenue (Municipally Known as No. 60 Rice Avenue). **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - SEVENTH REPORT

Section 1(b) City's representative to the Hamilton Harbour Commission

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Sub-section 1 (b) of the Seventh Report of the Finance and Administration Committee for 1998:

(b) That the City's representative to the Hamilton Harbour Commission be requested to provide the City with the Commission's Proposed Perimeter Road Plan for review by the City's Finance and Administration Committee at its 1998 March 24th meeting. **CARRIED.**

* * * * *

Section 12 Re: Hamilton Parking Authority

Recorded vote.

YEAS: Acting Mayor Corsini, Aldermen Caplan, Horwath, Morelli, Haining, Wilson, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Aldermen Kiss, Copps, Eisenberger, Anderson. -4. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - EIGHTH REPORT

CITY OF HAMILTON LICENSING COMMITTEE - FIRST REPORT

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee, be adopted.

Recorded vote.

YEAS: Acting Mayor Corsini, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0. **CARRIED.**

1998 March 10

* * * * *

City Council then adjourned at 9:25 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

S. G. Hollowell
1998 March 10
SGH/dg

Minutes of Committee of the Whole\Hamilton City Council

1998 March 25

1:30 o'clock p.m.

1998 March 26

9:30 o'clock a.m.

Dundurn Coach House

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps,
Collins, Eisenberger, Jackson, Anderson, Kelly, D'Amico, O'Sullivan.

Absent: Alderman B. Charters - Regional Business

Mayor R. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Copps, Wilson,
Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. -13.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - SIXTH REPORT

Best Practices Steering Committee

FCM Resolution - New Terms of Reference for Municipal Government

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Copps, Wilson, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. - 13.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 1:30 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1998 March 26
/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SIXTH** Report for 1998 and respectfully recommends:

1. That Regional Council be requested to initiate and expedite an immediate study into the provision of Emergency Services as outlined in the report of the Best Practices Steering Committee, and that the results of the study be available in sufficient time for consideration by Hamilton City Council as part of its 1998 Current Budget process.
2. **WHEREAS** municipal governments are major public agents for providing services, programs and facilities to maintain and enhance the quality of life for all Canadians; and

WHEREAS municipal governments require the powers to provide good government and services to local residents now and in the future;

BE IT RESOLVED that every municipal government will, by way of provincial/territorial legislation and eventual amendments to the Canadian constitution,

1. be an order of government,
2. be autonomous,
3. act on every matter within its financial competence that is not expressly excluded from its responsibility,
4. have adequate powers and financial and legal resources
 - (a) to ensure good government and services locally,
 - (b) to meet existing and future community needs,
 - (c) to apply creative, innovative and entrepreneurial solutions,
 - (d) which cannot be altered unilaterally by other orders of government,
5. require other orders of government to comply with the municipal government's validly exercised authority,
6. have access to alternative dispute mediation resolution mechanisms to resolve harmoniously disputes with other orders of government through out of court facilities,
7. be accessible, democratic and accountable,

8. have discretion to refuse to take on what were previously responsibilities of other orders of government, or to agree to take on such responsibilities only in return for new financial or other resources in relation to these responsibilities.
3. That the following Bill be adopted, signed and sealed and enrolled as a By-law:

E-004 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1998 March 25-26

C O R R E S P O N D E N C E

Correspondence:

1. Letter dated 1998 March 18 from R. S. Smith, Secretary to the Board of Commissioners, Hamilton Harbour Commissioners respecting Audited Financial Statements for the years ending December 31, 1980, 1981, 1983, 1984, 1985, 1987, 1990, 1994 and 1995.

Recommendation: Be Referred to the Finance and Administration Committee.

2. Letter dated 1998 March 16 from R. S. Smith, Secretary to the Board of Commissioners, Hamilton Harbour Commissioners respecting material requested by the City's Auditor's KPMG.

Recommendation: Be Referred to the Finance and Administration Committee.

3. Application dated 1998 March 10 from Harm Schilthuis and Sons Limited, Ancaster, Ontario for removal of the "H" Holding Provision for lands located at 100 Locke Street South, Hamilton, Ontario.

Recommendation: Be Received.

4. Application dated 1998 March 11 from Jason D. Rosset, 16-1375 Southdown Road, Mississauga, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "DE" (Low Density Multiple Dwellings) District Modified for Block "1" front portion and from "C" (Urban Protected Residential, etc.) District to "DE" (Low Density Multiple Dwellings) District modified for the rear portion for 1516 Main Street West, Hamilton, Ontario.

Recommendation: Be Received.

5. Application dated 1998 March 17 from Ukrainian Catholic Episcopal Corp of Eastern Canada, c/o 260 Melvin Avenue, Hamilton, Ontario for a modification to the "D" (Urban Protected Residential - One and Two Family, Dwellings, etc.) District for 260 Melvin Avenue, Hamilton, Ontario.

Recommendation: Be Received.

6. Application dated 1998 March 18 from Horvat Properties, 3600 Hurontario Street, Mississauga, Ontario for a change in zoning from "A" (Conservation, Open Space, Park, and Recreation) District to "C" (Urban Protected Residential, etc.) District for lands located east of Greenhill Avenue and west of Webster Road and north of the existing railway line in the Nash Orchard Heights South Subdivision.

Recommendation: Be Received.

605 James St. N.
Hamilton, Ontario, Canada
L8L 1K1

Phone Numbers
Hamilton 905-525-4330
Inwats 1-800-263-2131

Fax Numbers
Administration 905-528-6282
General Office 905-528-6554



March 16, 1998

Mr. Joseph Schatz
City Clerk
The Corporation of the City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Sir,

Further to Council's resolution, forwarded to us on October 28, 1997, The Board of Commissioners, at their meeting of March 13, 1998, approved the provision of the following material to your auditors KPMG. This material has been forwarded to them under separate cover. Firstly Item 1. The Reserve for Future Harbour Improvements, as well as additional funds i.e. working capital and income before depreciation, are set out as the Source of Funds in the Five Year Capital Budget. Therefore the list of projects and responses under Item 2. Five Year Capital Budget and Item 1. are the same.

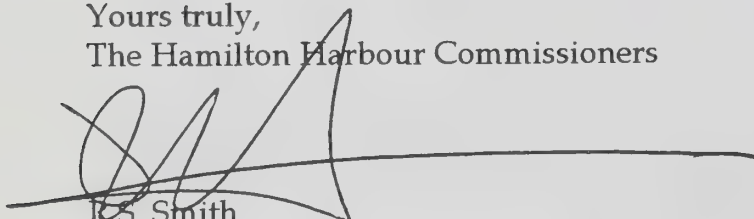
In response to Item 2. i) the approved summary of the Five Year Capital Budget, as noted in the 1995 Financial Statements, is enclosed along with a listing of the projects included within these expenditures.

In response to Item 2. ii) The viability of individual projects is examined by the Commissioners' on a case by case basis prior to implementation. Careful consideration is given to the relevant aspects of proposed capital expenditures such as cost, revenue stream, return on investment, facilitation of trade, Port development as a whole, and infrastructure requirements. Documents relating to the approval of specific projects may exist. They would have to be searched and retrieved from The Commissioners' files for the individual projects and specific time periods. As it would be onerous to do this for all projects, we would anticipate that, after reviewing the material provided, further discussions with KPMG would address how this could be effectively accomplished, and for which projects.

Many of the projects relate to servicing the Port by providing docks, roads, sewers, electrical services and the like which do not generate a specific financial return, but none the less are an integral part of the development of the Port. A copy of the February 1990 Coopers & Lybrand Economic Impact of The Port of Hamilton is included which provides a summary of the historical and planned capital investment in the Port of Hamilton.

In response to Item 2. iii) the listing of projects includes information respecting the stage of each project as requested. For clarification project design and / or cost estimates include those done by The Commissioners. The detail of design and estimates may vary widely from project to project. Projects are considered to be out to tender if a quotation for work is available for acceptance by The Commissioners. Those items marked in the affirmative under Contract Signed may not be complete or may have changed from what was originally envisioned at the time of budget preparation. This list deals with the projects that were specifically identified in the Five Year Capital Budget.

Yours truly,
The Hamilton Harbour Commissioners



R.S. Smith
Secretary to the Board of Commissioners

2.

605 James St. N.
Hamilton, Ontario, Canada
L8L 1K1

Phone Numbers
Hamilton 905-525-4330
Inwats 1-800-263-2131

Fax Numbers
Administration 905-528-6282
General Office 905-528-6554



The Hamilton
Harbour
Commissioners

March 18, 1998

Mr. Joseph Schatz
City Clerk
The Corporation of the City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Sir,

Further to Council's resolution, forwarded to us on February 25, 1998, (copy attached) The Board of Commissioners, at their meeting of March 13, 1998, approved the provision of Items 2. (d), (e), and (f), as originally received and acknowledged by the City Clerk, for each year requested. This material has been forwarded to your auditors, KPMG, under separate cover.

Item 2. (a) will be forwarded, in a timely manner, when complete. A response to Items 2. (b), and (c) is being prepared and will be provided as soon as possible.

In response to Item 2. (g) we would confirm that requests for clarification on the material provided would be addressed on a timely basis, as good business practice dictates. Any request for information beyond the scope of the previous resolutions would require a further resolution of Council.

Yours truly,
The Hamilton Harbour Commissioners

R.S. Smith
Secretary to the Board of Commissioners

Office of the City Clerk

City of
HAMILTON71 Main Street West, Hamilton, Ontario, L8N 3T4
Tel. (905) 546-2700 / Fax (905) 546-2095

1998 February 25

SENT VIA FAX - 528-6282

Mr. R. Scott Smith
Secretary to the Board of Commissioners
The Hamilton Harbour Commissioners
605 James Street North
Hamilton, Ontario
L8L 1K1

Dear Mr. Smith:

Please be advised that Hamilton City Council at its meeting held Tuesday, 1998 February 24th approved Sections 2 and 3 of the Sixth Report for 1998 of the Finance and Administration Committee as follows:

2. That the Hamilton Harbour Commissioners be requested to provide the City of Hamilton with the following financial information relating to the Hamilton Harbour Commission within 14 (fourteen) days;
 - (a) Information relating to the current five-year capital budget, including:
 - (i) A list of the projects included in the budget and the nature/purpose of the project/expenditure; and,
 - (ii) Whether the expenditure represents an improvement/addition to existing capacity or whether it relates to a maintenance/replacement expenditure required to sustain existing capacity; and,
 - (iii) Copies of any available economic or feasibility studies or similar documents/analyses prepared in support of the budgeted expenditures; and,
 - (iv) Information on the present stage of each project (i.e., whether the project has been designed, whether the costs have been estimated, whether the project has been put out to construction companies for tender, whether the project is in progress, etc.); and,
 - (v) How the expenditure will be financed (i.e. from existing investments reserved for future improvements, from future cash flow, from debt, etc.); and,

Page Two

- (b) Any available operating budgets (i.e., budgeted statements of revenue and expenses and or budgeted balance sheets); and,
- (c) A list of tenants/leases (for both existing tenants/leases and any leases that have been signed for future tenants) setting out the following:
 - (i) The property (Pier #) and the name of the tenant; and,
 - (ii) The terms of the lease, including monthly or periodic required rental payments, the maturity date of the lease and whether the lease is on a gross or net basis; and,
- (d) The full audited financial statements (complete with notes and supporting schedules including the fixed asset and depreciation schedule) for the Harbour for the years 1980 to 1984, 1986 and 1989; and,
- (e) Certain financial statements that have been provided to us for 1990 and subsequent years include various schedules of revenue, expenses and fixed assets, including:
 - (i) Schedule of Revenue; and,
 - (ii) Schedule of Operating Expenses; and,
 - (iii) Schedule of Administrative, Office and General Expenses; and,
 - (iv) Schedules of Fixed Assets (including Land, Docks and Harbour Improvements, Buildings, and Vessels and Equipment).

However, we are missing (and are therefore requesting) these schedules for the following years:

- (1) 1994; and,
 - (2) 1995 (Schedule of Vessels and Equipment only); and,
- (f) It would appear that the detailed revenue/expense/fixed asset data was included in the financial statements for years prior to 1990. If so, then this information would be included in the financial statements requested above in point (iv). However, to the extent that the schedules of revenue, expenses and fixed assets were prepared for years prior to 1990 (and are not otherwise disclosed in the financial statements), then please provide these detailed schedules for such prior years; and,
 - (g) That any further information requested by the City through KPMG, Chartered Accountants for the City of Hamilton on harbour issues, be provided within 30 (thirty) days as set out in the Walsh Decision.

Page Three

3. (a) That correspondence from the Secretary to the Hamilton Harbour Commissioners dated 1998 January 26, respecting Memorandum of Agreement, September 29, 1997, be received; and,
- (b) That the Hamilton Harbour Commissioners be advised that the City of Hamilton has not agreed with the positions put forward under items 5(1) and (2) of the Board of the Hamilton Harbour Commissioners resolution, referred to in correspondence dated 1998, January 26 from the Secretary to the Board of Commissioners to the City Clerk respecting the Memorandum of Agreement, September 29, 1997; and,
- (c) That the Hamilton Harbour Commissioners be advised that as per section 5(3) of their correspondence, for the purposes of meetings as projected by 1998 March 14, the City of Hamilton representatives are Mayor Morrow, Alderman Charters and Alderman Collins.

Yours very truly,



J. J. Schatz
City Clerk

cc Mayor Robert M. Morrow
Alderman B. Charters
Alderman C. Collins
J. Pavelka, Chief Administrative Officer
A. Ross, City Treasurer
P. Noe Johnson, City Solicitor

REPORTS

**PLANNING & DEVELOPMENT
COMMITTEE**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTH** Report for 1998 and respectfully recommends:

1. (a) That the Barton Village Community Improvement Plan for the expanded area of the Barton Village Community Improvement Project Area, attached as Appendix "A" be adopted, in order to implement the Commercial Property Improvement Loan Program and the Barton Street Revitalization Program; and,

 (b) That the Barton Village Community Improvement Plan for the expanded area of the Barton Village Community Improvement Project Area be submitted to the Ministry of Municipal Affairs and Housing for the appropriate approval; and,

 (c) That the City Solicitor be authorized and directed to prepare the requisite By-law for (a) above.

2. (a) That the Main Street West Community Improvement Plan for the expanded area of the Main Street West Community Improvement Project Area, attached as Appendix "B", be adopted, in order to implement the Commercial Property Improvement Loan Program; and,

 (b) That the Main Street West Community Improvement Plan for the expanded area of the Main Street West Community Improvement Project Area be submitted to the Ministry of Municipal Affairs and Housing for the appropriate approval; and,

 (c) That the City Solicitor be authorized and directed to prepare the requisite By-law for (a) above.

3. (a) That the Downtown Hamilton Business Improvement Area's Community Improvement Plan for the expanded area of the Downtown Hamilton Business Improvement Area's Community Improvement Project Area, attached as Appendix "C", be adopted, in order to implement the Commercial Property Improvement Loan Program; and,

- (b) That the Downtown Hamilton Business Improvement Area's Community Improvement Plan for the expanded area of the Downtown Hamilton Business Improvement Area's Community Improvement Project Area, be submitted to the Ministry of Municipal Affairs and Housing for the appropriate approval; and,
 - (c) That the City Solicitor be authorized and directed to prepare the requisite By-law for (a) above.
4. That the Downtown Hamilton Community Improvement Plan be amended, on the following basis:
- (a) Section 4.e): Add the words "family entertainment" after the word "cultural" in the second line so that the entire clause now reads: "to promote the continued development of the Downtown as the primary business, office, cultural, family entertainment, and administrative centre for the City and Region."
 - (b) That the following be added as Section 5.1:

5.1 REGENERATION STRATEGIES

- a) municipal land acquisition for the purposes of redevelopment of lands within the Community Improvement Project Area;
- b) disposition, including sale, lease, or otherwise, of municipal land within the Community Improvement Project Area for the purpose of achieving the goals and objectives of this Plan;
- c) soliciting interest and participation from private or public/private development corporations for redevelopment opportunities for municipal and non-municipal land or land disposition including sale, lease, or otherwise, which may include the following methods: requests for proposals, expressions of interest, requests for qualifications;
- d) the criteria to guide decisions with regard to redevelopment within the Community Improvement Project Area in order to achieve the goals and objectives of this plan shall include, but not be limited to, the following:
 - i) improvement of downtown Hamilton as the primary business, office, cultural, entertainment, and administrative centre for the City and the Region;

- ii) improvement of the streetscape, provision of a street presence, and street level pedestrian focus for redevelopment;
 - iii) contribution to the economic growth of downtown Hamilton;
 - iv) rehabilitation of existing buildings, where appropriate;
 - v) municipal financial risk and exposure to loss are minimized;
 - vi) securing of appropriate businesses to be located in Downtown Hamilton to contribute to the economic viability of the area;
 - e) the City may provide relief from fees, levies, and charges associated with redevelopment;
 - f) other strategies consistent with the goals and objectives of this Plan.
5. (a) That approval be given to Official Plan Amendment No. 148 to redesignate the rear portion of the lands located at the front of No. 1317 Upper James Street from "Residential" to "Commercial" and to redesignate the entire subject lands from "Special Policy Area 31a" to "Special Policy Area 31", as shown on the attached Appendix "D", and that the Director of Planning and Development be directed to prepare the By-law of Adoption in accordance with Section 22 of the Planning Act, for submission to the Regional Municipality of Hamilton-Wentworth; and,
- (b) That approval be given to Zoning Application 97-39, Hampshire Properties Limited, owner, for a change in zoning from "CR-1" (Commercial - Residential) District to "HH" (Restricted Community Shopping and Commercial) District, modified, to permit commercial development for lands located at the front of No. 1317 Upper James Street, as shown on the attached map marked as Appendix "E", on the following basis:
- (i) That the subject lands be rezoned from "CR-1" (Commercial - Residential) District, modified, to "HH" (Restricted Community Shopping and Commercial) District, modified; and,
 - (ii) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A. of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances, as special requirements:

- (1) Notwithstanding Section 14A(3)(a), a front yard depth of at least 24 m shall be provided and maintained; and,
 - (2) A landscaped planting strip having a minimum width of 6.0 m shall be provided and maintained along the entire easterly lot line of the "HH" District, where it abuts a residential district; and,
 - (3) That a visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the entire easterly lot line of the "HH" District, where it abuts a residential district; and,
 - (4) That a minimum 3.0 m wide landscaped planting strip shall be provided and maintained along the entire westerly lot line, except for any area used for driveway access; and,
 - (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1401, and that the subject lands on Zoning District Map E-9C be notated S-1401; and,
 - (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council; and,
 - (v) That the proposed modification in zoning will be in conformity with the City of Hamilton Official Plan upon approval of Official Plan Amendment No. 148 by the Regional Municipality of Hamilton-Wentworth; and,
 - (c) That upon finalization of the implementing By-law, the Jerome Neighbourhood Plan be amended by redesignating the subject lands from "Commercial and Apartments" to "Commercial".
6. (a) That approval be given to Zoning Application ZAC-98-07, Ontario Pride Construction Ltd. owner, for a change in zoning from "D" (Urban Protected Residential - One and Two Family, etc.) District to "DE" - 'H' (Low Density Multiple Apartments - Holding) District (Block 1) and for a modification in zoning to the established "D" (Urban Protected Residential - One and Two Family, etc.) District (Block 2) for lands located at 30 - 36 Margaret Street, as shown on the attached map marked as Appendix "F", on the following basis:
- (i) That Block "1" be rezoned from "D" (Urban Protected Residential - One and Two Family, etc.) District to "DE" - 'H' (Low Density Multiple Apartments - Holding) District; and,

- (ii) That the amending By-law applicable to Block "1" apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as the owner submits a signed Record of Site Condition (RCS) to the Region of Hamilton-Wentworth and the Ministry of Environment, to the satisfaction of the Region of Hamilton-Wentworth, including an acknowledgement of receipt of the RSC by the MOE.

City Council may remove the 'H' symbol, and thereby give effect to the "DE" District, provisions as stipulated in the By-law by enactment of an amending By-law once the condition is fulfilled; and,

- (iii) That the "DE" (Low Density Multiple Apartments) District regulations as contained in Section 10A of Zoning By-law No. 6593, applicable to the lands shown as Block "1", be modified to include the following variances, as special requirements:

- (1) That the building existing at the time of the passing of this By-law, known municipally as 36 Margaret Street, shall provide and maintain the following setbacks:
 - (a) 0.70 metres from the easterly lot line; and,
 - (b) 0.40 metres from the southerly lot line; and,
 - (c) 3.50 metres from the northerly lot line; and,
 - (d) 0.00 metres from the westerly lot line; and,
- (2) That notwithstanding Section 10A.(1) of Zoning By-law No. 6593, only the following use shall be permitted:
 - a) a multiple dwelling containing a maximum of 11 Class A dwelling units within the building existing at the time of the passing of the By-law; and,
- (3) That Section 10A.(5) of Zoning By-law No. 6593 shall not apply; and,
- (4) That notwithstanding Section 18A.(1)(a) of Zoning By-law No. 6593, a minimum of 11 parking spaces shall be provided and maintained; and,
- (5) That notwithstanding Section 18A.(11) of Zoning By-law No. 6593, the boundary of every parking and manoeuvring area shall provide and maintain the following setbacks:

- (a) not less than 0.50 metres from the easterly limits of Block "1"; and,
 - (b) not less than 0.50 metres from the northerly limits of Block "1"; and,
 - (c) not less than 0.0 metres from the westerly limits of Block "1"; and,
- (6) That notwithstanding Section 18A.(24)(b) of Zoning By-law No. 6593, a mutual access driveway having a width of not less than 3.5 metres shall be provided and maintained; and,
- (7) That Section 18A.(1)(c) of Zoning By-law No. 6593 shall not apply; and,
- (8) That Section 18A.(26) of Zoning By-law No. 6593 shall not apply; and,
- (iv) That the "D" (Urban Protected Residential - One and Two Family, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands shown as Block "2", be modified to include the following variances, as special requirements:
 - (1) That the semi-detached dwellings existing at the time of the passing of this By-law, known municipally as 30 and 32 Margaret Street, shall provide and maintain the following setbacks:
 - (a) 2.70 metres from the easterly lot line; and,
 - (b) 1.15 metres from the southerly lot line; and,
 - (c) 1.45 metres from the northerly lot line; and,
 - (d) 7.50 metres from the westerly lot line; and,
 - (2) Notwithstanding Section 10.(4)(ii) of Zoning By-law No. 6593, for a two family dwelling a lot width of at least 14.7 metres and an area of at least 300.0 square metres shall be provided and maintained; and,
 - (3) That Section 18A.(1)(a) of Zoning By-law No. 6593, shall not apply for the existing semi-detached dwellings existing at the time of the passing of this By-law, known municipally as 30 and 32 Margaret Street; and,
- (v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1402, and that the subject lands on Zoning District Map W-12 be notated S-1402; and,

- (vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-12 for presentation to City Council; and,
 - (vii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
 - (viii) That, upon finalization of the implementing zoning by-law, the Strathcona Neighbourhood Plan be amended to redesignate Block 1 from "Single and Double Residential" to "Low Density Apartments".
7. That approval be given to amended Zoning Application 98-03, 1215443 Ontario Inc. (Ontario Pride Construction/Michael Bobiash), owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" - 'H' (Townhouse-Maisonette - Holding) District modified, to permit the construction of 13 townhouse units and 2 semi-detached units, for the property located at No. 243 Fennell Avenue East, shown as Blocks 1 and 2 on the attached map marked as Appendix "G", on the following basis:
- (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until:

Submission of a signed Record of Site Condition (RSC) to the Region of Hamilton-Wentworth and the Ontario Ministry of the Environment (MOE). This RSC must be to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the MOE.

Removal of the holding restriction shall be conditional upon the signed Record of Site Condition to the satisfaction of the Region and the Ministry of Environment. City Council may remove the 'H' symbol, and thereby give effect to the "RT-20" District provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled; and,
 - (b) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-20" - 'H' (Townhouse-Maisonette - Holding) District modified; and,
 - (c) That the "RT-20" (Townhouse-Maisonette) District regulations, as contained in Section 10E of Zoning By-law 6593, applicable to Block 1, be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 10E(2), only a maximum of one semi-detached dwelling and a townhouse dwelling having a maximum of three single family dwelling units shall be permitted; and,

- (ii) That notwithstanding Section 10E(4)(a), for a townhouse dwelling a side yard depth of not less than 4.0 metres shall be provided and maintained for the southerly lot line; and,
 - (iii) That notwithstanding Section 10E(17)(a), for a townhouse dwelling not more than three single family dwelling units shall be attached in a continuous row; and,
 - (d) That the "RT-20" (Townhouse-Maisonette) District regulations, as contained in Section 10E of Zoning By-law 6593, applicable to Block 2, be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 10E(2), only townhouse dwellings having a maximum of ten single family dwelling units shall be permitted; and,
 - (ii) That notwithstanding Section 10E(17)(a), for a townhouse dwelling not more than four single family dwelling units shall be attached in a continuous row; and,
 - (e) That no pedestrian or vehicular access shall be permitted from East Eleventh Street; and,
 - (f) That the building elevation drawings as submitted with a future Site Plan application for the subject lands be consistent with the height, scale, style, character and architectural details of the proposed dwellings shown in Appendix "H"; and,
 - (g) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1400, and that the subject lands on Zoning District Map E-16 be notated S-1400; and,
 - (h) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-16, for presentation to City Council; and,
 - (i) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
8. That Application CD-97-003, under the Rental Housing Protection Act, Herminio Silva, Owner, for conversion of 22 rental apartment units to condominium units for the property located at 893 Concession Street, be denied for the following reason:

Removal of these units from the rental market would adversely affect the overall rental vacancy rate within the Hamilton Mountain Zone.

9. (a) That approval be given to the Intent to Designate the historic core of McMaster University at 1280 Main Street West, specifically, University Hall, Hamilton Hall, the Refectory, Wallingford Hall, Edwards Hall and the Alumni Memorial Building and the landscaped open space extending north-south from the ravine edge to Scholar's Road and east-west from Edwards Hall to Wallingford Hall, as a property of historical and architectural value, as outlined in the Reasons for Designation attached hereto and marked Appendix "I", pursuant to the provisions of the Ontario Heritage Act, 1997, Part IV; and,
 - (b) That the City Solicitor be authorized as directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1997.
10. (a) That the City Solicitor be authorized and directed to prepare an amendment to By-Law 93-167, "To Authorize Permits and Fees", Section 4 by inserting between subsections (6) and (7) a new subsection as follows:
 - (7) In addition to the applicable requirements of subsection (2) above, every sewage system permit application shall contain the following information:
 - (a) the name, address, telephone number, and licence number of the person installing the sewage system,
 - (b) where the person named in (a) above requires a licence under the Act and the Building Code,
 - i) the number and date of issuance of the licence, and
 - ii) the name of the qualified person supervising the work to be done under the sewage system permit,
 - (c) a site evaluation which shall include all of the following items, unless otherwise specified by the Chief Building Official,
 - i) the date the evaluation was done,
 - ii) the name, address, telephone number and signature of the person who prepared the evaluation,
 - iii) a scaled map of the site showing the legal description, lot size, property dimensions, existing rights-of-way, easements, or municipal/utility corridors; the location of items listed in Column 1 of Table 8.2.1.5.A., 8.2.1.5.B. and 8.2.1.5.C.; the location of the proposed sewage system; the location of any

unsuitable, disturbed or compacted areas, and the proposed access routes for system maintenance,

- iv) depth to bedrock,
 - v) depth to zones of soil saturation,
 - vi) soil properties, including soil permeability, and
 - vii) soil conditions, including the potential for flooding; and,
- (b) That the City Solicitor be authorized and directed to amend Section 4 of By-Law 93-167 by renumbering each of the subsections following the new subsection (7) in sequence as necessary; and,
- (c) That the City Solicitor be authorized and directed to prepare an amendment to By-Law 93-167 "To Authorize Permits and Fees" by adding the following to Schedule "A":
- 11. (a) Permit for the construction of on-lot sewage system pursuant to the provisions of the Building Code Act \$500
 - (b) Permit for the repairs to an existing on-lot sewage system pursuant to the provisions of the Building Code Act \$200
 - (c) Preparation of written comments and inspection for land severance, minor variance and rezoning applications for lots with existing septic systems \$200
11. (a) That Schedule "B" of By-law No. 98-074, appointing the Barton Village B.I.A. Board of Management be repealed and the following names substituted:

SCHEDULE "B"

Dimitri Boukhers	Farah's Foodmart (tenant)
Jody Hendry	Hendry's Family Shoes (nominated by owner)
Terry Franceour	Mugsy's Place (nominated by owner)
Sandra Manners	Westinghouse Canada Inc. (nominated by owner)
John Hilger	Ways to Wisdom (owner)
John Howard	Econ-o-wash Laundry (owner)
Paul Nusca	Nusca Custom Tailors Ltd. (owner)
Marco Tollis	Riviera Banquet Centre (owner)
Nick LaSala	Nick's Auto Service (owner)
Robert Palmese	Palmese Photodesign Group Inc.(owner)

Keith Cody	Orthopaedic Services (nominated by owner)
Phil Springer	464 Barton Street East (owner)

- (b) That the City Solicitor be authorized and directed to amend Schedule "B" of By-law 98-074 pursuant to (a) above.

12. (a) That Schedule "B" of By-law No. 98-047 appointing the Westdale Village BIA Board of Management be repealed and the following names substituted:

SCHEDULE "B"

Lynn Secord	Canada Trust 938 King St West, (Owner/Representative)
Mary Beth Ledden	Judy Marsales Real Estate Ltd 986 King St West, (Owner)
David Simpson	Simpson, Watson, & Vujnovic Lawyer 950 King St West, (Owner)
Gene Ditner	Cottage Florist 1033 King St West, (Owner)
Shelagh Snider	The Picture Frame 1045 King St West, (Owner)
John Mouskos	New Village Restaurant 988 King St West, (Owner)
David Thorne	Truth 1044 King St West, (Tenant)
Reg Lahie	Jack Carruth Shoes 1051 King St West, (Owner)

- (b) That the City Solicitor be authorized and directed to amend By-law 98-047 pursuant to (a) above.

13. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, nine hundred and fifty eight dollars (\$1,958) be approved for Helen Golba, 80 Stapleton Avenue. The interest rate will be 2 per cent amortized over 5 years.

14. That the Building Commissioner be authorized to issue a demolition permit for 1062 Upper Paradise Road in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

15. That the Building Commissioner be authorized to issue a demolition permit for 701 Upper Sherman Avenue (C-Wing) in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
16. That upon fulfilment of obligations set out in Rental Housing Protection Act Agreements, Council authorizes the Mayor and City Clerk to sign discharges, to be registered on title at the sole expense of the party requesting the discharge, in a form satisfactory to the City Solicitor.
17. (a) That approval be granted to application CDM-CONV-98-001 submitted by Robert Dockeray, owner, for a draft plan of condominium for property located at No. 11-23 Courtland Avenue, as shown on the attached map marked as Appendix "J", to provide for a condominium comprised of a 15 individual townhouse condominium units, subject to the following conditions:
 - (i) That this approval applies to the draft plan dated March 5, 1998, attached hereto and marked as Appendix "K", prepared by A.T. McLaren Limited, O.L.S.; and,
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor; and,
 - (iii) That prior to approval of the final plan:
 - (1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law 6593 and the Official Plan, and
 - (2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593; and,
 - (iv) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-95-011); and,

- (v) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,
 - (vi) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required; and,
 - (b) That the Mayor and the City Clerk be authorized to grant draft approval by signing the draft plan; and,
 - (c) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.
- 18.
- (a) That approval be given to Part Lot Control Application PLC-98-02, Harp Homes Inc. (Martin Mazza, President), owner, to remove part-lot control for the purpose of establishing maintenance easements for Lots 1 - 6, inclusive, Registered Plan 62M-829 "Eagleview Estates, Phase 1", as shown on Appendix "L"; and,
 - (b) That the exempting By-law be restricted to a 1 year effective time period to expire on April 1, 1999; and,
 - (c) That the appropriate By-law remove part lot control Lots 1 - 6, inclusive, Registered Plan 62M-829 "Eagleview Estates, Phase 1" plan of subdivision, effective until April 1, 1999 for presentation to City Council; and,
 - (d) That following enactment of the By-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the By-law and endorse the same on the By-law.
- 19.
- (a) That approval be given to the request by David Elliot, Solicitor for 200 Rymal Road Inc. (A. DiSilvestro), owner, for a 1 year extension for exemption from part-lot control for the purposes of establishing maintenance easements for Lots 8 and 19, Registered Plan 62M-795, "Allison Estates, Phase 1, Stage 2", as shown on Appendix "M"; and,
 - (b) That the appropriate By-law to extend part-lot control from Lots 8 and 19, Registered Plan 62M-795, "Allison Estates - Phase 1, Stage 2" plan of subdivision, effective until May 1, 1999, be enacted by Council.

20. That staff be directed to request the Ontario Municipal Board to include the following two variances to By-law No. 97-147 for the property located at No. 195 Ferguson Avenue North, as shown on the attached map marked as Appendix "N":
- (a) That By-law No. 97-147 be amended on the following basis:
- (i) delete clause 1.(a) and replace with the following new clause:
- "notwithstanding Section 11(1) of Zoning By-law No. 6593, the following use shall be permitted in the existing building located at No. 195 Ferguson Avenue North:
- 1) drop-in centre on the first and second floor only;
 - 2) storage room accessory to the drop-in centre in the underground parking garage.
- (ii) that a new clause 1.(d) be added as follows:
- "notwithstanding Section 2(d)(i) of By-law 92-197, eighty-five parking spaces shall be provided and maintained for the existing eighty-eight (88) Class "A" dwelling units."
- (b) That the proposed amendment to By-law No. 97-147 is in conformity with the Official Plan for the Hamilton Planning Area.
21. That the Mayor send a letter to the Ontario Realty Corporation advising that Century Manor, located on the grounds of the Hamilton Psychiatric Hospital, is considered to be of major historical and architectural importance to the City of Hamilton, and request that in the event that the Hamilton Psychiatric Hospital is closed and the property sold, that every effort is taken to preserve and protect this designated building, such as the implementation of a Heritage Conservation Easement Agreement.
22. That the City of Hamilton recommend to the Minister of Canadian Heritage and the Chair of the Ontario Heritage Foundation that the heritage conservation easement agreement between the Ontario Heritage Foundation and any new owner of the CN Station property be entered into immediately after the Minister signs off the agreement of sale, or alternatively, that the CNR, as present owner, be requested to enter into a heritage conservation easement agreement with the Ontario Heritage Foundation prior to the sale, in order to ensure the ongoing permanent protection of the architecturally and historically significant CN Station.

23. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-46 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 184 Lottridge Street.
- (b) C-47 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 184 Lottridge Street.
- (c) C-48 A By-law to Amend By-law No. 86-99 as Amended by By-laws No. 92-056 and 98-044 Respecting Members of the Board of Management of the Ottawa Street North Business Improvement Area.
- (d) C-49 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 73 Kennedy Avenue.
- (e) C-50 A By-law to Remove Land Within the "Eagleview Estates, Phase 1" Subdivision, Plan 62M-829 from Part Lot Control.
- (f) C-51 A By-law to Extend By-law No. 97-058 Respecting Land Within the "Allison Estates, Phase 1, Stage 2" Subdivision (62M-795) Plan 62R-13933.

Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Tina Agnello, Secretary
1998 March 25**

1998 March 31

Appendix "A" referred to in Section 1(a) of
the **SIXTH** Report of the Planning and
Development Committee for 1998

**THE BARTON VILLAGE
COMMUNITY IMPROVEMENT PLAN
FOR THE EXPANDED AREA OF THE
BARTON VILLAGE COMMUNITY IMPROVEMENT PROJECT AREA**

1998 February

1998 March 31

**THE BARTON VILLAGE
COMMUNITY IMPROVEMENT PLAN
FOR THE EXPANDED AREA OF THE
BARTON VILLAGE COMMUNITY IMPROVEMENT PROJECT AREA**

PREFACE:

The Barton Village Community Improvement Project Area was originally designated by By-law 88-011. The Area was subsequently expanded by By-law 98-038. The geographic areas delineated by both By-laws 88-011 and 98-038 are the subject of a Community Improvement Plan passed 1988 January 12.

By-law 98-038 has further enlarged the geographic area of the Barton Village Community Improvement Project Area.

PURPOSE:

This Community Improvement Plan is intended to apply to the expanded geographic area of the Barton Village Community Improvement Project Area as set out in By-law 98-038 and is more particularly shown on Appendix A.

Rather than being focused on large scale redevelopment, this Community Improvement Plan focuses on rehabilitation and the updating of existing facades and interiors.

This Community Improvement Plan does not replace the existing Community Improvement Plan for the geographic areas delineated by both By-laws 88-011 and 98-038.

ASSISTANCE TO THE EXPANDED AREA:

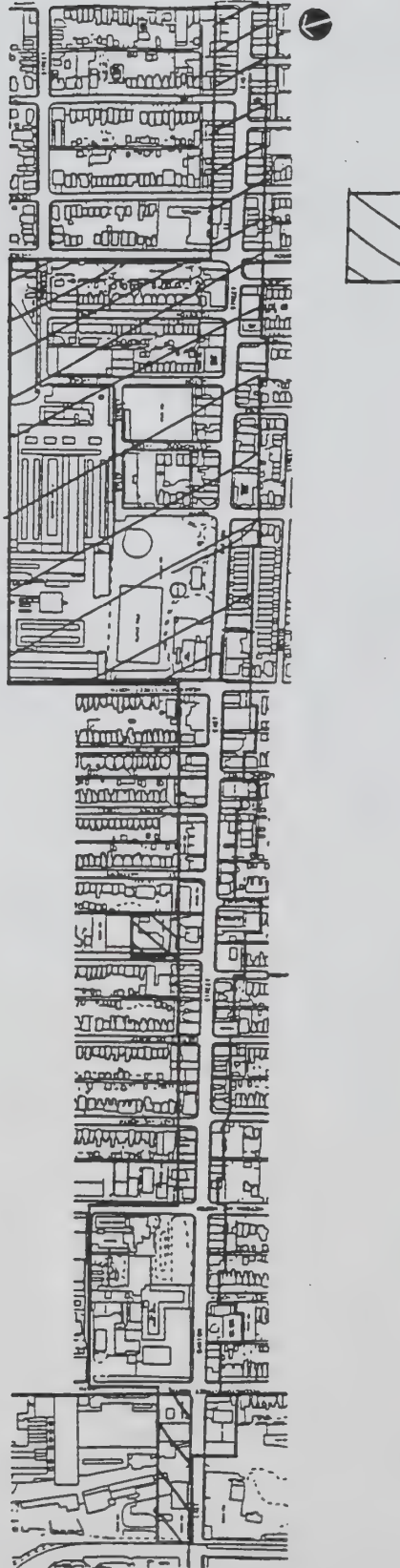
The Barton Village Community Improvement Project Area is within the Beasley, Landsdale and Gibson Neighbourhoods and is recognized as a major commercial strip. Improvements to the streetscape have been implemented by the City of Hamilton including, but not limited to, the widening of sidewalks, installation of planted medians and the installation of banners.

The visual appearance of the area could also be enhanced through the upgrading of existing building fronts and interiors. It is recognized that such improvements not only increase the attractiveness of the area, but also assist in putting forward a positive commercial image.

To encourage individual owners of buildings to renovate, loans and grants are available from the Municipality under this plan through the Barton Street Revitalization Program and the Commercial Property Improvement Loan Program in accordance with the guidelines attached as Appendix B.

1998 March 31

BARTON GENERAL COMMUNITY IMPROVEMENT PROJECT AREA



APPENDIX 'A'

**THE BARTON STREET REVITALIZATION PROJECT AND
THE COMMERCIAL PROPERTY IMPROVEMENT LOAN PROGRAM**

LOAN GUIDELINES

1. Upon receipt of a satisfactory application which meets the criteria of the loan program set out herein, loans may be made by the City for a term not exceeding ten (10) years, at an interest rate of one-half of the City's prime borrowing rate, amortized for a maximum period of ten years (open).

The interest rate shall be established at time of loan approval. Interest shall commence to run after the Interest Adjustment Date (I.A.D.) namely, the first of the month following full advancement of the loan. Repayment of loans shall be monthly but open to full repayment at any time without notice or penalty.

2. These loans are solely intended for the owners of lands within the said designated Community Improvement Project Area where the owners' lands are used for non-residential commercial purposes which, in the opinion of the City,
 - (a) are intended for the eligible improvements and expenses contemplated in the corresponding Plan.
 - (b) fulfil the objectives of the City expressed in the corresponding Plan.
 - (c) meet the security/equity and other requirements of the City's loan program including the requirements specified herein.
3. While businesses which are tenants are not, according to the Planning Act, eligible for loans and grants provided for in the Plan attached, loans to eligible property owners for improvements which will also benefit business tenants are provided for in the Plan.
4. Loans may be made to an owner of a non-residential commercial property not exceeding the sum of \$15,000. in respect of the cost of eligible facade and exterior renovations to each separate location of the owner's property specially assessed or specially assessable for a levy payable to the Board of Management of the Barton Village Business Improvement Area. These loans are subject to a maximum limit of \$45,000. (3 units, \$15,000. each) for each deeded property of the owner.

5. Loans may be made to an owner of a non-residential commercial property not exceeding the sum of \$10,000. in respect of the cost of eligible interior improvements to each separate location of the owner or of a tenant under lease from the owner, specially assessed or specially assessable for a levy payable to the Board of Management of the Barton Village Business Improvement Area, subject to,
 - (a) a loan maximum of \$30,000. for each deeded property of the owner;
 - (b) the tenant, if any, accepting in writing the proposed interior improvements.
6. Loans may be made to an owner of a non-residential property not exceeding the sum of \$5,000. in respect of the cost of eligible exterior and facade improvements and to repair deficiencies in compliance with health, safety, or property standards. This loan is at the discretion of Council where approved, may be concurrent with or in addition to the maximum permitted loans specified in sections 4 and 5. This loan shall be unsecured and not registered on title. Section 11 (b) (ii) and 11 (b) (iii) shall not apply to this loan.

Where this community improvement loan is the subject of a grant provided for in section 13 of these guidelines, the grant to the owner to pay down the principal of this loan shall not exceed \$2,500. and shall be advanced as follows:

- (a) \$1,500. as of the completion of construction as confirmed by the Building Department; and,
 - (b) \$1,000. (or the balance of the grant), one year following the first advance;
 - (c) Section 16 (a) on advancement of section 13 grants shall not apply.
7. Loans may be for the following types of improvements and their related expenses:
 - exterior building envelope;
 - major building systems, including roof, wiring, plumbing, heating;
 - interior fixtures, including partitions;
 - interior decorating, including lighting, painting, wallpaper, etc.;
 - built-in showcases, freezers, special plumbing, etc.;
 - exterior/interior signage;
 - related professional fees (architects, engineers, appraisers, lawyers, etc.) and the application fee of the greater of 1.5% of the loan or \$200.;
 - such other loan program administrative fees fixed by Council from time to time.

Loans shall be advanced only in respect of completed work which has been inspected by the City.

Loans may not be made for expenses such as chattels, (i.e. tables, chairs, cash registers) nor shall loans be made for rental/owner occupied residential accommodation.

8. The building envelope, including exterior shell (foundation, exterior walls, roof, fire escapes, chimneys) and major systems, shall be inspected by the Building Department. Deficiencies shall qualify for a loan in advance of facade improvements (store fronts, aesthetics, signage etc.).
9. The owner will obtain two estimates for all eligible improvements after the City's inspection of the building. Where an owner personally carries out the work, only the cost of materials is eligible for a loan, upon receipt of invoices.
10. A report by the Building Department (Housing and Loans Division) on each loan will be made to the Planning and Development Committee and Council for approval. The recommendation of the Board of Management of the Barton Village B.I.A. will be received in respect of the exterior improvement portion of the loan applications.
11.
 - (a) Each borrower shall give the City a promissory note in respect of each loan; and
 - (b) As security for repayment of the loan made by the City, the borrower shall:
 - (i) where the borrower is a limited company, provide the City with the personal guarantee of at least the majority of the owner(s) of the shares, together with documents satisfactory to the City confirming the authorization of the corporate borrower to borrow the loan and give the loan security to the City;
 - (ii) consent to a City Lien being registered on title to the property being improved in which the property owner must have at least 20% equity, after covering outstanding property encumbrances, not including the amount of the City's loan;

(iii) where an owner has less than 20% equity in the property being improved,

(1) the owner may grant the City a collateral mortgage in other property that meets the City's equity requirements, provided the owner's lawyer prepares and certifies to the City, at the owner's expense, the collateral mortgage in a form satisfactory to the City Solicitor; and

(2) the owner may provide the City with a guarantee from another person, provided the guarantee is secured by a mortgage on the Guarantor's property that meets the City's equity requirements and the Guarantor's lawyer prepares and certifies the guarantee and the collateral mortgage to the City, at the owner's expense, in a form satisfactory to the City Solicitor;

(iv) keep in good standing business taxes, realty taxes and B.I.A. levies.

12. Upon sale of the property improved by the loan, the loan/lien is due and payable in full to the City unless the new owner of the property meets the lending criteria and assumes the original terms and conditions of the loan.

Upon sale of a property which secures by a collateral mortgage repayment of a loan, the loan is due and payable in full to the City.

13. Repayment of loans to the City shall be monthly but open to full repayment at any time without notice or penalty.

GRANT GUIDELINES:

14. Grants may be made to recipients of loans under this Community Improvement Plan for a sum of up to 1/2 of the outstanding loan principal of such loans for the purpose of paying for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the Community Improvement Plan. Where the loan is less than \$5,000., pursuant to section 6 of these guidelines, such grant may be for a sum equal to the amount of the loan principal.
15. Grants may also be made to recipients of loans under this Community Improvement Plan to cover the cost of Building Permit fees, Committee of Adjustment Applications and/or property compliance reports payable to the City, where these costs are incurred in respect of rehabilitating such lands and buildings in conformity with the Community Improvement Plan.

- 5 -

16. Conditions of Grants:

- a) The following accounts of grant recipients must be in good standing, prior to payment of any grant, unless the recipient directs the City in writing to apply the grant towards the amounts owing on any such account:
 - (i) the commercial loan repayments and interest thereon;
 - (ii) realty taxes on the property being improved;
 - (iii) business taxes; and,
 - (iv) B.I.A. levy;
- b) Grants are available to recipients of loans under this Community Improvement Plan for rehabilitating their lands and buildings within the Barton Village Business Improvement Area and the said Community Improvement Project Area;
- c) The maximum grants available to an owner(s) for each deeded property of the owner(s) shall not exceed \$30,000.
- d) Grant instalments will be advanced from the City by the direct paying down of principal in a Commercial Property Improvement Loan Program borrowers' loan account in three (3) instalments, in the 15:15:20 ratio, as follows:
 - (i) 15% of the loan amount at the time of construction completion as recorded by a Building Department Inspector;
 - (ii) 15% of the original loan amount on the anniversary date of the first advance; and,
 - (iii) 20% on the anniversary date of the second advance.

1998 March 31

Appendix "B" referred to in Section 2(a) of
the **SIXTH** Report of the Planning and
Development Committee for 1998

**THE MAIN STREET WEST
COMMUNITY IMPROVEMENT PLAN
FOR THE EXPANDED AREA OF THE
MAIN STREET WEST COMMUNITY IMPROVEMENT PROJECT AREA**

1998 February

**THE MAIN STREET WEST
COMMUNITY IMPROVEMENT PLAN
FOR THE EXPANDED AREA OF THE
MAIN STREET WEST
COMMUNITY IMPROVEMENT PROJECT AREA**

PREFACE:

The Main Street West Community Improvement Project Area was originally designated by By-law 90-270. The Area was subsequently expanded by By-law 98-039. The geographic areas delineated by both By-laws 90-270 and 98-039 are the subject of a Community Improvement Plan passed 1990 October 30.

By-law 98-039 has further enlarged the geographic area of the Main Street West Community Improvement Project Area.

PURPOSE:

This Community Improvement Plan is intended to apply to the expanded geographic area of the Main Street West Community Improvement Project Area as set out in By-law 98-039 and is more particularly shown on Appendix A.

Rather than being focused on large scale redevelopment, this Community Improvement Plan focuses on rehabilitation and the updating of existing facades and interiors.

This Community Improvement Plan does not replace the existing Community Improvement Plan for the geographic areas delineated by both By-laws 90-270 and 98-039.

ASSISTANCE FOR THE EXPANDED AREA:

Main Street West is a major commercial strip within the Kirkendall North Neighbourhood. Improvements to the streetscape have been implemented by the City of Hamilton including, but not limited to, the reconstruction of sidewalks and roadways and the installation of banners and streetblades.

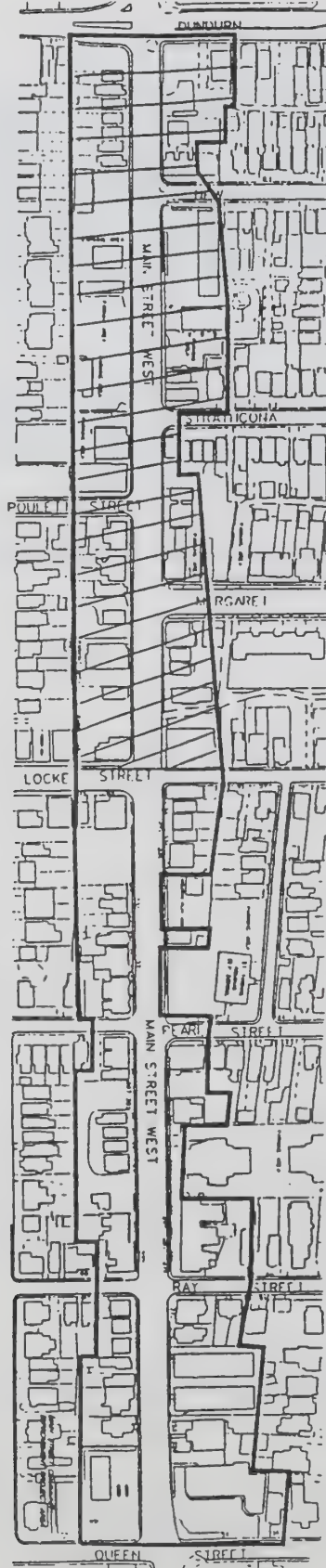
The visual appearance of the area could also be enhanced through the upgrading of existing building fronts and interiors. It is recognized that such improvements not only increase the attractiveness of the area, but also assist in putting forward a positive commercial image.

To encourage individual owners of buildings to renovate, loans are available from the Municipality under this plan through the Commercial Property Improvement Loan Program in accordance with the guidelines attached as Appendix B.

APPENDIX "A"

MAIN STREET WEST COMMUNITY IMPROVEMENT PROJECT AREA

EXPANDED BOUNDARIES



COMMERCIAL PROPERTY IMPROVEMENT LOAN PROGRAM

GUIDELINES

1. Upon receipt of a satisfactory application which meets the criteria of the loan program, including the criteria set out herein, loans may be made by the City for a term not exceeding ten (10) years, at an interest rate of one-half of the City's prime borrowing rate, amortized for a maximum period of ten years.

The interest rate shall be established at time of loan approval. Interest shall commence to run after the Interest Adjustment Date (I.A.D.) namely, the first of the month following full advancement of the loan. Repayment of loans shall be monthly but open to full repayment at any time without notice or penalty.

2. These loans are solely intended for the owners of lands within the said designated Community Improvement Project Area where the owners' lands are used for non-residential commercial purposes which, in the opinion of the City,

- (a) are intended for the eligible improvements and expenses contemplated in the corresponding Plan.

- (b) fulfil the objectives of the City expressed in the corresponding Plan.

- (c) meet the security/equity and other requirements of the City's loan program including the requirements specified herein.

3. While businesses which are tenants are not, according to the Planning Act, eligible for loans provided for in the Plan attached, loans to eligible property owners for improvements which will also benefit business tenants are provided for in the Plan.

4. Loans may be made to an owner of a non-residential commercial property not exceeding the sum of \$15,000. in respect of the cost of eligible facade and exterior renovations to each separate location of the owner's property specially assessed or specially assessable for a levy payable to the Board of Management of the respective Business Improvement Area. These loans are subject to a maximum limit of \$45,000. (3 units, \$15,000. each) for each deeded property of the owner per twelve month period from the date of Council approval of the last previous loan(s).

5. Loans may be made to an owner of a non-residential commercial property not exceeding the sum of \$10,000. in respect of the cost of eligible interior improvements to each separate location of the owner or of a tenant under lease from the owner, specially assessed or specially assessable for a levy payable to the Board of Management of the respective Business Improvement Area, subject to,

- (a) a loan maximum of \$30,000. for each deeded property of the owner per twelve month period from the date of Council approval of the last previous loan(s); and,
 - (b) the tenant, if any, accepting in writing the proposed interior improvements.
6. Loans may be for the following types of improvements and their related expenses:
 - exterior building envelope;
 - major building systems, including roof, wiring, plumbing, heating;
 - interior fixtures, including partitions;
 - interior decorating, including lighting, painting, wallpaper, etc.;
 - built-in showcases, freezers, special plumbing, etc.;
 - exterior/interior signage;
 - related professional fees (architects, engineers, appraisers, lawyers, etc.) and the application fee of the greater of 1.5% of the loan or \$200.;
 - such other loan program administrative fees fixed by Council from time to time.
- Loans shall be advanced only in respect of completed work which has been inspected by the City.
- Loans may not be made for expenses such as chattels, (such as tables, chairs, cash registers) nor shall loans be made for rental/owner occupied residential accommodation.
7. The building envelope, including exterior shell (foundation, exterior walls, roof, fire escapes, chimneys) and major systems, shall be inspected by the Building Department. Deficiencies shall qualify for a loan in advance of facade improvements (store fronts, aesthetics, signage etc.).
8. The owner will obtain two estimates for all eligible improvements after the City's inspection of the building. Where an owner personally carries out the work, only the cost of materials is eligible for a loan, upon receipt of invoices.
9. A report by the Building Department (Housing and Loans Division) on each loan will be made to the Planning and Development Committee and Council for approval. The recommendation of the Board of Management of the local B.I.A. will be received in respect of the exterior improvement portion of the loan applications.
10. (a) Each borrower shall give the City a promissory note in respect of each loan; and

- (b) As security for repayment of the loan made by the City, the borrower shall:
- (i) where the borrower is a limited company, provide the City with the personal guarantee of at least the majority of the owner(s) of the shares, together with documents satisfactory to the City confirming the authorization of the corporate borrower to borrow the loan and give the loan security to the City;
 - (ii) consent to a City Lien being registered on title to the property being improved in which the property owner must have at least 20% equity, after covering outstanding property encumbrances, not including the amount of the City's loan;
 - (iii) where an owner has less than 20% equity in the property being improved,
 - (1) the owner may grant the City a collateral mortgage in other property that meets the City's equity requirements, provided the owner's lawyer prepares and certifies to the City, at the owner's expense, the collateral mortgage in a form satisfactory to the City Solicitor; and
 - (2) the owner may provide the City with a guarantee from another person, provided the guarantee is secured by a mortgage on the Guarantor's property that meets the City's equity requirements and the Guarantor's lawyer prepares and certifies the guarantee and the collateral mortgage to the City, at the owner's expense, in a form satisfactory to the City Solicitor;
 - (iv) keep in good standing business taxes, realty taxes and B.I.A. levies.
11. Upon sale of the property improved by the loan, the loan/lien is due and payable in full to the City unless the new owner of the property meets the lending criteria and assumes the original terms and conditions of the loan.

Upon sale of a property which secures by a collateral mortgage repayment of a loan, the loan is due and payable in full to the City.

1998 March 31

Appendix "C" referred to in Section 3(a) of
the **SIXTH** Report of the Planning and
Development Committee for 1998

**THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA'S
COMMUNITY IMPROVEMENT PLAN
FOR THE EXPANDED AREA OF THE
DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA'S
COMMUNITY IMPROVEMENT PROJECT AREA**

1998 February

**THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA'S
COMMUNITY IMPROVEMENT PLAN
FOR THE EXPANDED AREA OF THE DOWNTOWN HAMILTON
BUSINESS IMPROVEMENT AREA'S
COMMUNITY IMPROVEMENT PROJECT AREA**

PREFACE:

The Downtown Hamilton Business Improvement Area's Community Improvement Project Area was originally designated by By-law 94-186. The Area was subsequently expanded by By-law 98-040. The geographic areas delineated by both By-laws 94-186 and 98-040 are the subject of a Community Improvement Plan passed 1994 December 13.

By-law 98-040 has further enlarged the geographic area of the Downtown Hamilton Business Improvement Area's Community Improvement Project Area.

PURPOSE:

This Community Improvement Plan is intended to apply to the expanded geographic area of the Downtown Hamilton Business Improvement Area's Community Improvement Project Area as set out in By-law 98-040 and is more particularly shown on Appendix A.

Rather than being focused on large scale redevelopment, this Community Improvement Plan focuses on rehabilitation and the updating of existing facades and interiors.

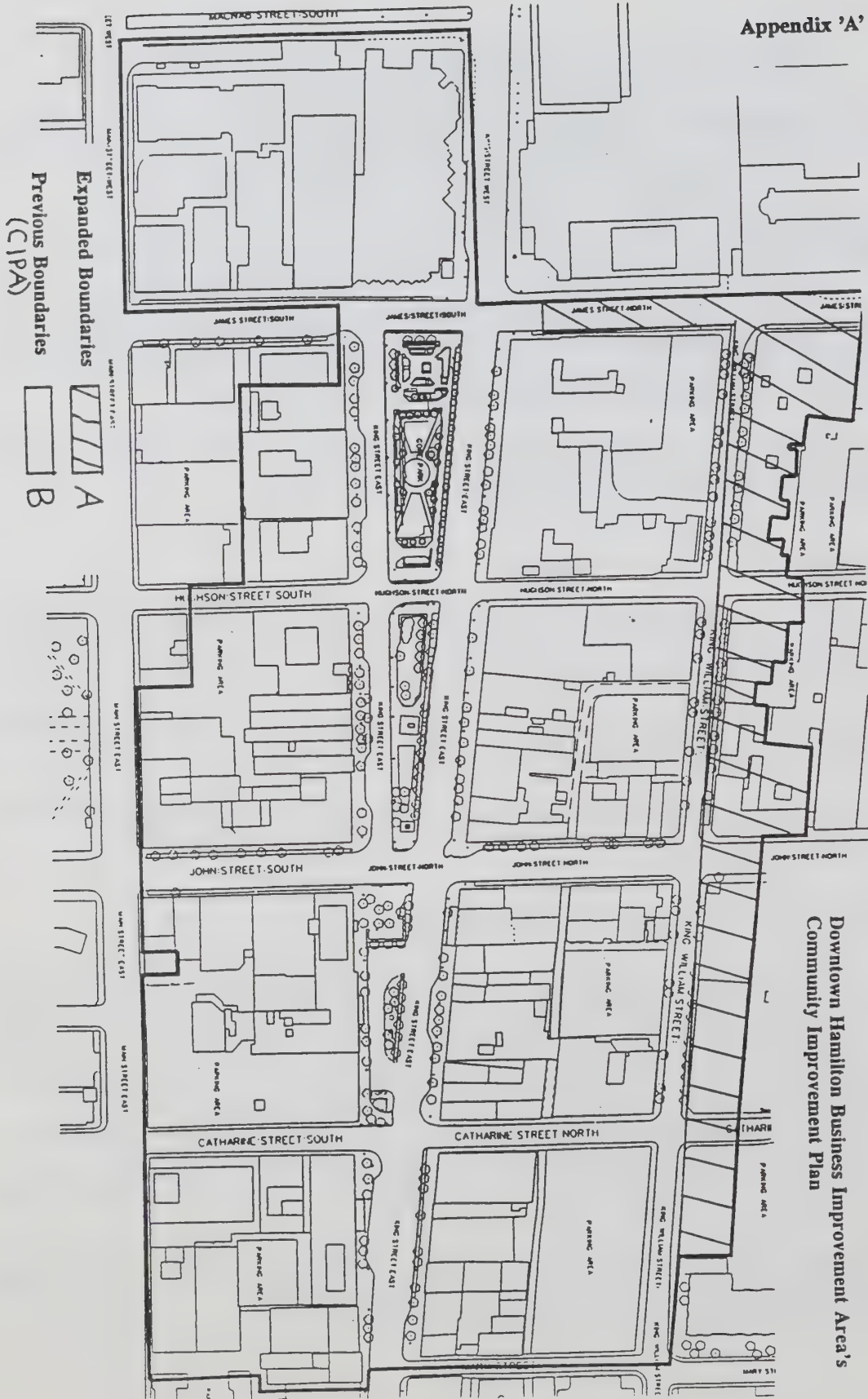
This Community Improvement Plan does not replace the existing Community Improvement Plan for the geographic areas delineated by both By-laws 94-186 and 98-040.

ASSISTANCE FOR THE EXPANDED AREA:

The area encompassed within the Downtown Hamilton Business Improvement Area's Community Improvement Project Area falls within the Central Policy Area as per the City of Hamilton's Official Plan. Accordingly it is promoted as a multi-use node by creating an attractive environment in which to live, work, do business shop or visit. Improvements to the streetscape have been implemented by the City of Hamilton including, but not limited to, improved lighting, installation of benches, urban braille, ground level planting. The visual appearance of the area could also be enhanced through the upgrading of existing building fronts and interiors. It is recognized that such improvements not only increase the attractiveness of the area, but also assist in putting forward a positive commercial image.

To encourage individual owners of buildings to renovate, loans are available from the Municipality under this plan through the Commercial Property Improvement Loan Program in accordance with the guidelines attached as Appendix B.

Appendix 'A'



Downtown Hamilton Business Improvement Area's
Community Improvement Plan

COMMERCIAL PROPERTY IMPROVEMENT LOAN PROGRAM

GUIDELINES

1. Upon receipt of a satisfactory application which meets the criteria of the loan program, including the criteria set out herein, loans may be made by the City for a term not exceeding ten (10) years, at an interest rate of one-half of the City's prime borrowing rate, amortized for a maximum period of ten years.

The interest rate shall be established at time of loan approval. Interest shall commence to run after the Interest Adjustment Date (I.A.D.) namely, the first of the month following full advancement of the loan. Repayment of loans shall be monthly but open to full repayment at any time without notice or penalty.

2. These loans are solely intended for the owners of lands within the said designated Community Improvement Project Area where the owners' lands are used for non-residential commercial purposes which, in the opinion of the City,
 - (a) are intended for the eligible improvements and expenses contemplated in the corresponding Plan.
 - (b) fulfil the objectives of the City expressed in the corresponding Plan.
 - (c) meet the security/equity and other requirements of the City's loan program including the requirements specified herein.
3. While businesses which are tenants are not, according to the Planning Act, eligible for loans provided for in the Plan attached, loans to eligible property owners for improvements which will also benefit business tenants are provided for in the Plan.
4. Loans may be made to an owner of a non-residential commercial property not exceeding the sum of \$15,000. in respect of the cost of eligible facade and exterior renovations to each separate location of the owner's property specially assessed or specially assessable for a levy payable to the Board of Management of the respective Business Improvement Area. These loans are subject to a maximum limit of \$45,000. (3 units, \$15,000. each) for each deeded property of the owner per twelve month period from the date of Council approval of the last previous loan(s).
5. Loans may be made to an owner of a non-residential commercial property not exceeding the sum of \$10,000. in respect of the cost of eligible interior improvements to each separate location of the owner or of a tenant under lease from the owner, specially assessed or specially assessable for a levy payable to the Board of Management of the respective Business Improvement Area, subject to,

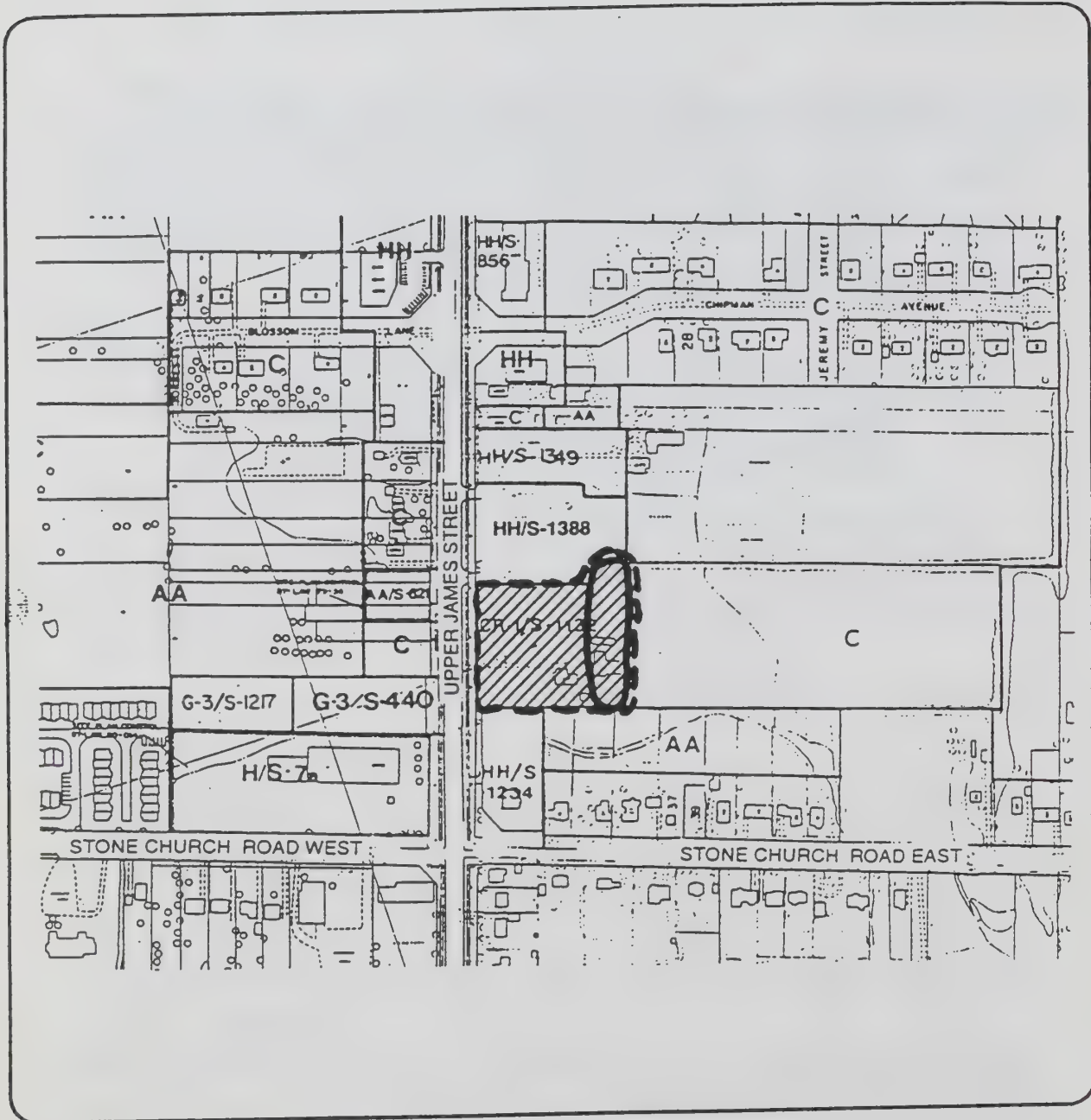
- 2 -

- (a) a loan maximum of \$30,000. for each deeded property of the owner per twelve month period from the date of Council approval of the last previous loan(s); and,
 - (b) the tenant, if any, accepting in writing the proposed interior improvements.
6. Loans may be for the following types of improvements and their related expenses:
 - exterior building envelope;
 - major building systems, including roof, wiring, plumbing, heating;
 - interior fixtures, including partitions;
 - interior decorating, including lighting, painting, wallpaper, etc.;
 - built-in showcases, freezers, special plumbing, etc.;
 - exterior/interior signage;
 - related professional fees (architects, engineers, appraisers, lawyers, etc.) and the application fee of the greater of 1.5% of the loan or \$200.;
 - such other loan program administrative fees fixed by Council from time to time.
- Loans shall be advanced only in respect of completed work which has been inspected by the City.
- Loans may not be made for expenses such as chattels, (such as tables, chairs, cash registers) nor shall loans be made for rental/owner occupied residential accommodation.
7. The building envelope, including exterior shell (foundation, exterior walls, roof, fire escapes, chimneys) and major systems, shall be inspected by the Building Department. Deficiencies shall qualify for a loan in advance of facade improvements (store fronts, aesthetics, signage etc.).
8. The owner will obtain two estimates for all eligible improvements after the City's inspection of the building. Where an owner personally carries out the work, only the cost of materials is eligible for a loan, upon receipt of invoices.
9. A report by the Building Department (Housing and Loans Division) on each loan will be made to the Planning and Development Committee and Council for approval. The recommendation of the Board of Management of the local B.I.A. will be received in respect of the exterior improvement portion of the loan applications.
10. (a) Each borrower shall give the City a promissory note in respect of each loan; and

- 3 -

- (b) As security for repayment of the loan made by the City, the borrower shall:
- (i) where the borrower is a limited company, provide the City with the personal guarantee of at least the majority of the owner(s) of the shares, together with documents satisfactory to the City confirming the authorization of the corporate borrower to borrow the loan and give the loan security to the City;
 - (ii) consent to a City Lien being registered on title to the property being improved in which the property owner must have at least 20% equity, after covering outstanding property encumbrances, not including the amount of the City's loan;
 - (iii) where an owner has less than 20% equity in the property being improved,
 - (1) the owner may grant the City a collateral mortgage in other property that meets the City's equity requirements, provided the owner's lawyer prepares and certifies to the City, at the owner's expense, the collateral mortgage in a form satisfactory to the City Solicitor; and
 - (2) the owner may provide the City with a guarantee from another person, provided the guarantee is secured by a mortgage on the Guarantor's property that meets the City's equity requirements and the Guarantor's lawyer prepares and certifies the guarantee and the collateral mortgage to the City, at the owner's expense, in a form satisfactory to the City Solicitor;
 - (iv) keep in good standing business taxes, realty taxes and B.I.A. levies.
11. Upon sale of the property improved by the loan, the loan/lien is due and payable in full to the City unless the new owner of the property meets the lending criteria and assumes the original terms and conditions of the loan.

Upon sale of a property which secures by a collateral mortgage repayment of a loan, the loan is due and payable in full to the City.





City of Hamilton

Plan Showing Lands Subject to
Site plan Control

Application ZAC-97-39

Planning and Development Department

Legend

-  Lands to be redesignated from "Residential" to "Commercial"
-  Lands to be redesignated from "Special Policy Area 31a" to "Special Policy Area 31"

North

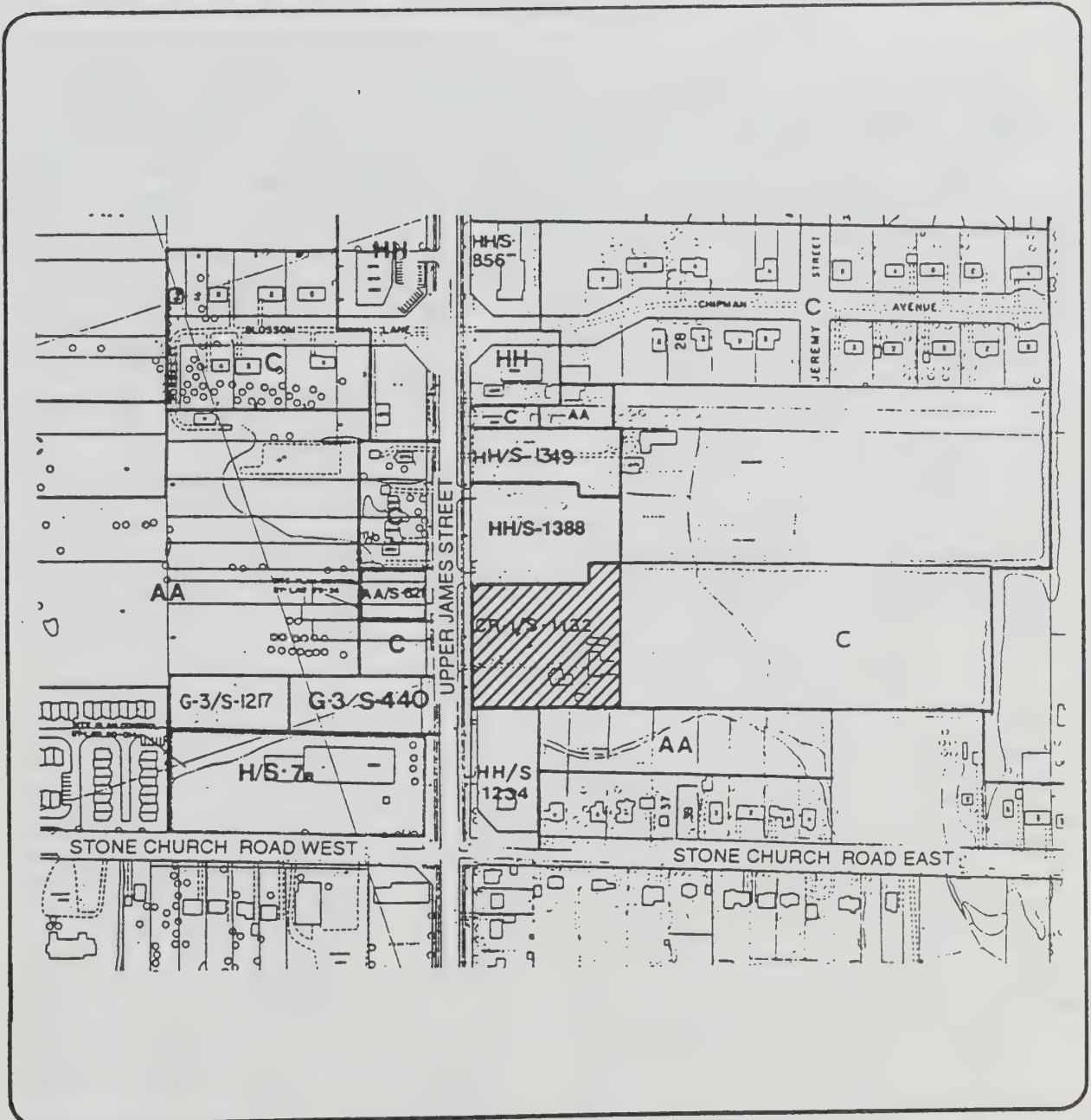


Scale
Not to Scale

Date
December 1997

Reference File No.
ZAC-97-39

Drawn By
F.A.



City of Hamilton

Plan Showing Lands Subject to
Site plan Control

Application **ZAC-97-39**

Planning and Development Department

Legend



Site of the Application

North

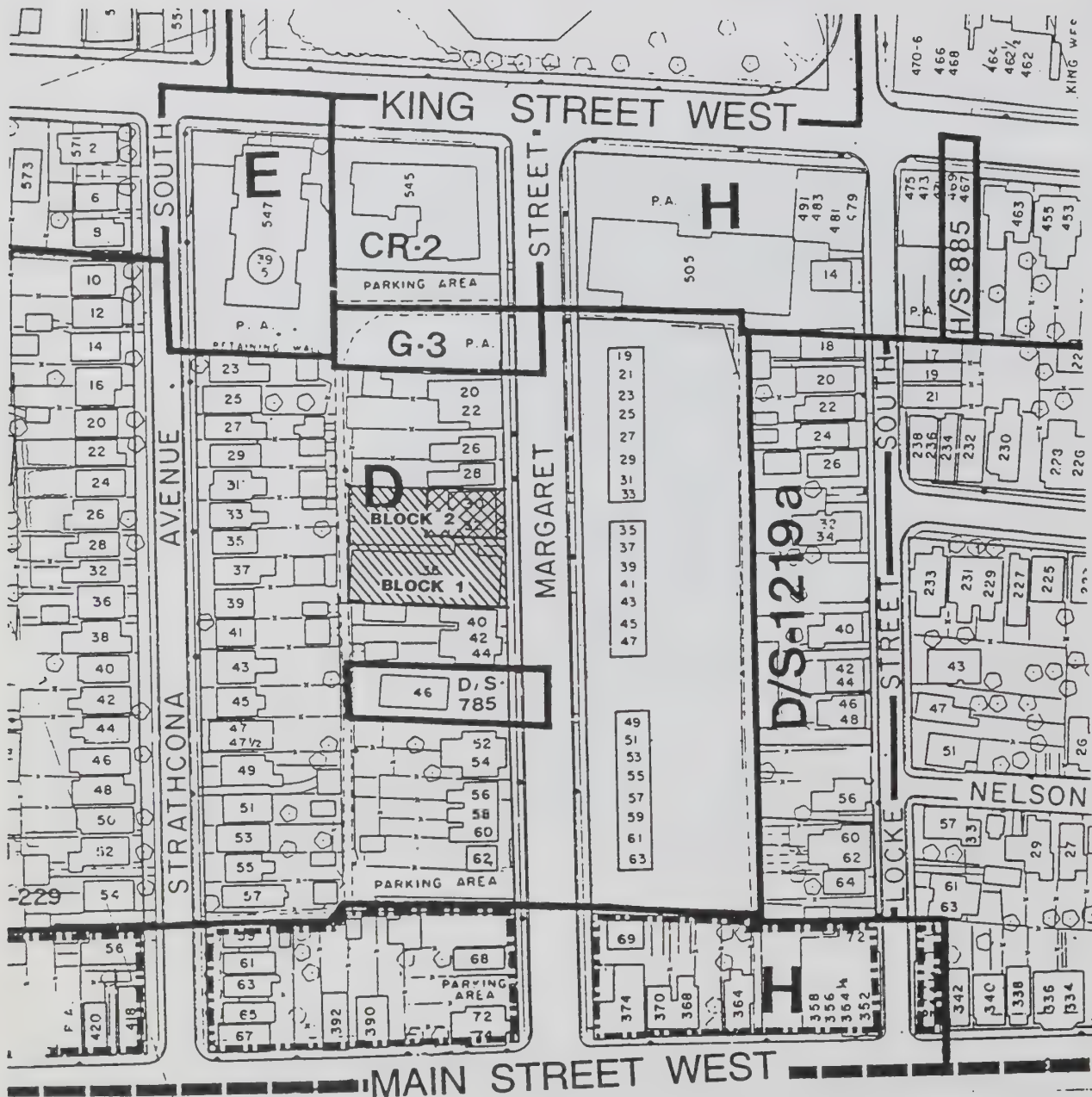


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Date
December 1997

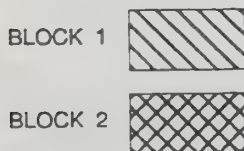
Reference File No.
ZAC-97-39

Drawn By
F.A.



Legend

Proposed change in zoning from:



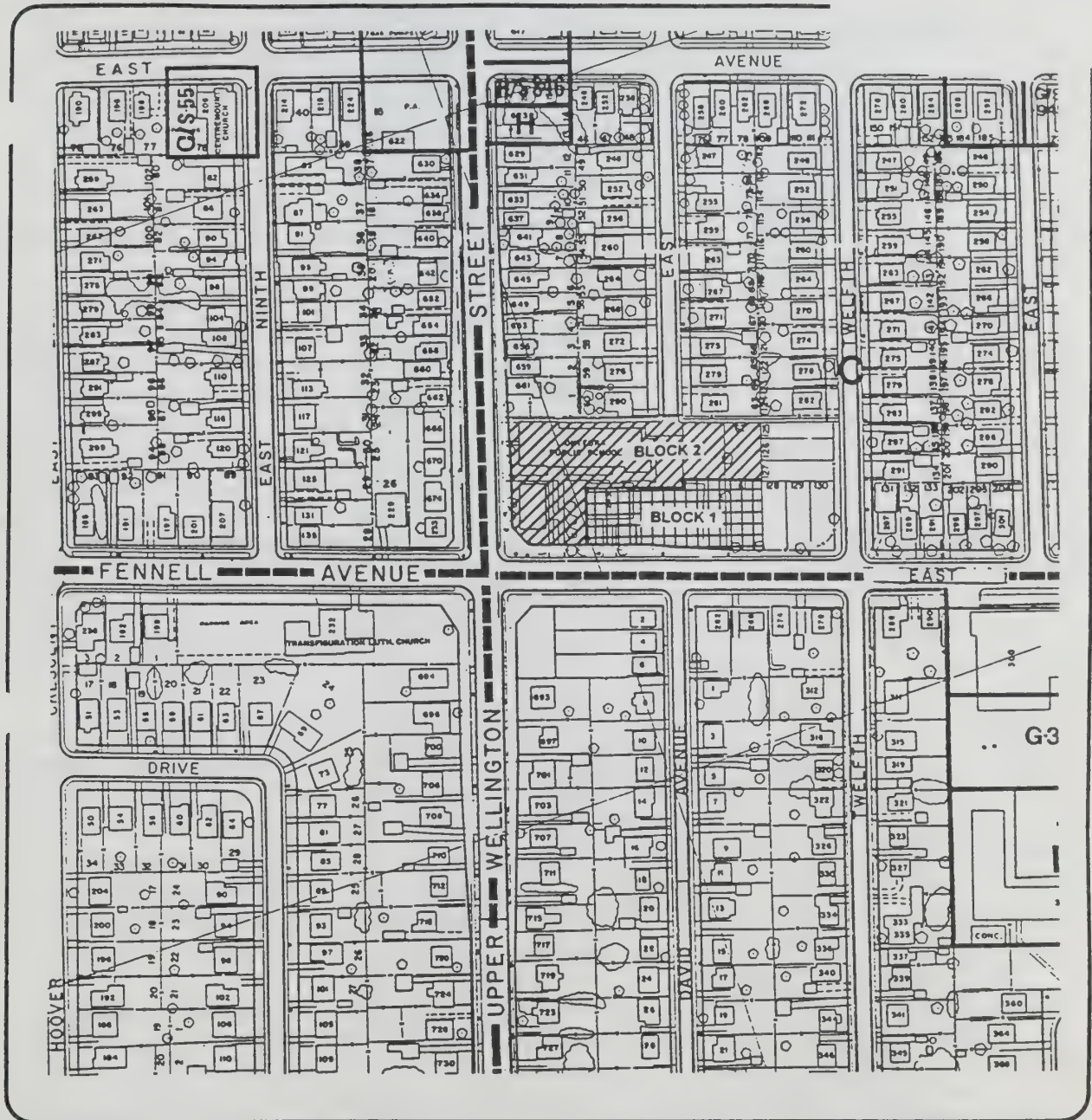
"D" (Urban Protected Residential- One and Two Family, etc.) District to "DE" (Low Density Multiple Dwellings) District

Modification to the established "D" (Urban Protected Residential - One and Two Family, etc.) District



1998 March 31

Appendix "G" referred to in Section 7 of the
SIXTH Report of the Planning and
Development Committee for 1998



Legend

Change In Zoning From:

BLOCK 1



From "C" (Urban Protected Residential, etc.)
District To "RT-20" - "H" (Townhouse - Maisonette
- Holding) District, Modified.

BLOCK 2



From "C" (Urban Protected Residential, etc.)
District To "RT-20" - "H" (Townhouse - Maisonette
- Holding) District, Modified.

City of Hamilton

Location Map

Planning and Development Department

North



Scale
NOT TO SCALE

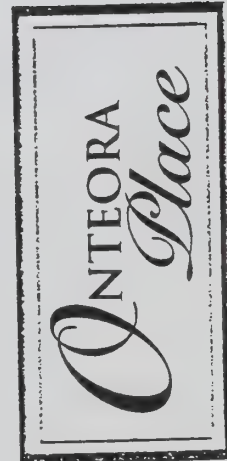
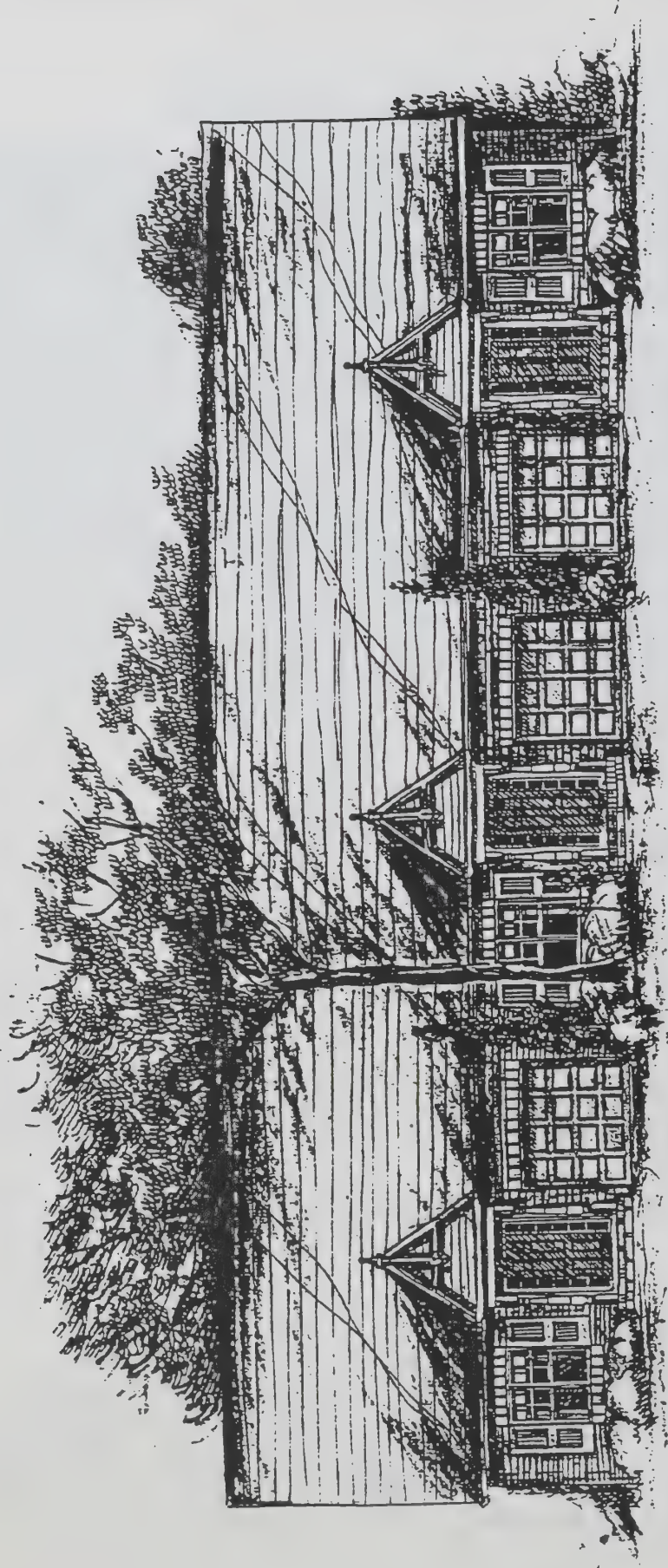
Date
March, 1998

Reference File No.
ZAC-98-03

Drawn By
R. L.

1998 March 31

Appendix "H" referred to in Section 7(f) of
the SIXTH Report of the Planning and
Development Committee for 1998



McMaster University: Historic Core
(University Hall, Hamilton Hall, Wallingford Hall, Edwards Hall,
the Refectory and the Alumni Memorial Building)

REASONS FOR DESIGNATION

CONTEXT (Present Setting and History of the Site)

The historic core of the main campus of the present-day McMaster University comprises a cluster of five Collegiate Gothic brick and stone buildings opened in 1930 (University Hall, Hamilton Hall, the Refectory, Wallingford Hall, Edwards Hall and the Alumni Memorial Building, built 20 years later in a similar style. Placed informally in partially enclosed quadrangle configurations, these stylistically unified buildings loosely follow the irregular edge of the heavily wooded ravine area forming the northern boundary of the campus. Though not part of the original complex, the modestly scaled Alumni Memorial Building fits unobtrusively into its setting, standing on a triangular pocket of sloping land bounded by the ravine to the west, University Hall and Hamilton Hall to the south, and Edwards Hall to the east. The open space between the buildings and bordering the ravine is landscaped with grass, trees and a network of footpaths. With the exception of the greenhouse added in the late 1960s, the historic core has essentially retained its original character, notably, the harmonious relationship between the buildings and landscape.

The planners for the original Hamilton campus of McMaster University envisaged a seat of higher learning set in parklike surroundings. This concept was developed as part of a larger beautification scheme spearheaded by Thomas B. McQuesten, an influential member of the City's Board of Parks Management. Largely implemented between 1927 and 1932, this scheme also encompassed a wildlife sanctuary around Cootes Paradise, nature trails, a rock garden and other landscaped areas which together make up the present-day Royal Botanical Gardens, as well as a grand north-western entrance to Hamilton with a monumental high level bridge over the Desjardins Canal.

The original landscaping plan for the McMaster campus was prepared by Dunnington-Grubb, one of Ontario's foremost landscape gardening and design firms. As recommended by Dunnington-Grubb, and endorsed by the Parks Board, the first buildings were carefully sited to take full advantage of the natural setting, described at the time as "one of the most beautiful natural ravines in Canada". Only the two large central academic buildings, Hamilton Hall and University Hall, were primarily oriented towards King and Main streets to the south: the latter, with its dominant corner tower, provided a strong visual terminus to University Avenue, once the principal approach to the campus. Plans to beautify the City-owned lands south of the campus included a sunken garden between King and Main (built according to plans prepared by Dunnington-Grubb and removed for the construction of the Health Sciences Complex).

* McMaster University, Hamilton, Ontario", *Construction*, November 1930, p. 373.

HISTORY (Institution and Buildings)

McMaster was founded in 1887 in Toronto as a small Baptist university devoted to arts and theology, named after its founder and first benefactor, Senator William McMaster. A campaign to bring McMaster University to Hamilton, launched by a Citizens' Committee and headed by local businessman William J. Westaway, concluded successfully in 1927. McMaster then accepted the City's offer, which included the donation of a magnificent site just west of the emerging suburb of Westdale; landscaping to be undertaken by its Parks Board (both on the campus and the adjacent lands south of King Street) and a gift of \$500,000 from the citizens of Hamilton to build a science building.

The transplanted McMaster University re-opened in 1930 with Howard P. Whidden as its first chancellor and a combined faculty and student population of about 650. It soon ranked as one of the principal institutions of higher learning in the province, along with the University of Toronto, Queen's University (Kingston) and the University of Western Ontario (London). McMaster retained its Baptist affiliation until becoming a non-denominational institution in 1957.

The original cluster of five buildings, all erected in 1929–30, comprised University Hall (arts and administration building), which included a library and auditorium (Convocation Hall), Hamilton Hall (science building), Edwards Hall (men's residence), Wallingford Hall (women's residence), the Refectory (dining hall and central heating plant). Fund-raising for an ambitious scheme to build a large student recreation centre, that would also serve to honour the 54 students and graduates who lost their lives in the first and second world wars, was begun in 1946. Three years later, when the funds pledged by alumni and undergraduates still fell far short of the total required, it was decided to proceed with a scaled-down version on a different site. Completed in 1951, the Alumni Memorial Building originally housed a cafeteria (the Buttery), men's and women's lounges, a common room (Memorial Hall) and offices for the Alumni Association.

ARCHITECTURE

Designed by the noted Hamilton-born, Toronto-based architect, William Lyon Somerville, in association with J. Francis Brown & Son, the original five buildings rank as very good examples of the Collegiate Gothic style. The architects followed a precedent established for new buildings on other Canadian university campuses, which took their inspiration both from the medieval colleges of Oxford and Cambridge and the late 19th/ early 20th century American campus buildings influenced by this tradition (notably, Princeton University). The McMaster buildings are included in a brief national survey of Collegiate Gothic architecture, along with several earlier Canadian examples: various buildings for Victoria College, and Hart House (1911–24) at the University of Toronto, the College of Agriculture at the University of Saskatchewan (1910–12) and the Science Building at the University of British Columbia (1914–25).^{*} The two main buildings, University Hall and Hamilton Hall, were described by the art historian and McMaster graduate, Robert Hubbard, as "probably the best Gothic group in Canada", after parts of Victoria College and Hart House.^{**} They are distinguished by their stone exteriors: rock-faced ashlar with dressed stone trim and carved ornamentation. The other four buildings are brick masonry with stone trim. All pitched roofs are covered with slate; and the original windows were all leaded glass casement windows.

^{*} Harold Kalman, *A History of Canadian Architecture*, vol. 2 (Oxford University Press: 1994), pp. 706–711

^{**} R.H. Hubbard, "Modern Gothic in Canada", *National Gallery of Canada Bulletin*, vol. 25 (1975), pp. 3, 15.

Inspired by the 15th century Magdalen College at Oxford University and reminiscent of Hart House, University Hall is the most architecturally distinctive of the original McMaster buildings. This three-storey building with a rear wing housing Convocation Hall is notable for its buttressed corner tower with a Tudor archway, crenellated parapet and carved stone finials, its picturesque roofline created by the projecting gabled third-storey windows and chimney stack, its varied fenestration (including some stone tracery, an elaborate two-storey bay window on the tower and an oriel window), and its dignified main entrance. This raised entrance portico features a pointed archway with decorative wrought-iron doors, an ornate carved stone surround and a crenellated parapet bearing the University crest.

University Hall also has the finest interior space: the large auditorium known as Convocation Hall, which was designed in the tradition of English college halls. The main space is divided into seven bays, articulated by Tudor-arched wood trusses sprung from stone corbels (representing the heads of famous scientists and philosophers) to support an oak-panelled ceiling. Rising between the corbels are tall leaded-glass Gothic windows with stone tracery and frames. The rear of the auditorium features a balcony supported by four octagonal columns with a solid paneled oak balustrade and a set of three double wood doors leading to the stair hall. At the front, the Tudor-arched opening of the proscenium focuses attention on the impressive stained-glass Gothic window above the platform: the Bunyan Memorial Window.

The adjacent Hamilton Hall, an L-shaped 3-storey building, is similar in construction and exterior detailing to University Hall but has a somewhat more utilitarian character, in keeping with its original function as a science facility. Notable features include the crenellated parapet of the predominantly flat roof, the very large casement windows on the first and second floors (laboratories and lecture rooms), the carved stone oriel window with its sundial, and the entrance portico with its pointed archway, wrought-iron gates, and stone carvings symbolizing the joint McMaster/Hamilton project and representing the various sciences.

The two residences: Wallingford Hall (for women) and Edwards Hall (for men), though differing in size and layout, are very similar in their exterior treatment. Both have Tudor-arched doorways with cut and carved stone surrounds, casement windows with cut-stone surrounds, and picturesque rooflines with tall gables and chimneys. Wallingford House also features two-storey bay windows and an oriel window over the east entrance (all constructed of stone).

The Refectory, though similar in its massing and materials to the residence buildings, has a more domestic "Arts and Crafts" character, with stone used sparingly for plain capstones and sill courses. It features a prominent steep-pitched roof surmounted by a cupola (over the dining hall), buttressed walls, two open wood porches with steep gable roofs (west and north facades), and two tall bay windows. The spacious dining hall is notable for its impressive open-truss, wood-panelled ceiling with the original hanging globe light fixtures.

Built in 1949-51, the Alumni Memorial Building was sensitively designed by the architects (Bruce Brown and Brisley in collaboration with W.L. Somerville) to complement the style of the original buildings, respect their siting and take full advantage of the ravine-edge setting. Built on a sloping site, this T-shaped 1 1/2 storey brick masonry building has an above grade basement on the west facade, allowing for panoramic views of the ravine from both the main hall and dining room below. In its overall massing and detailing, the Alumni Memorial Building most closely resembles the Refectory and, except for the elaborate front entrance, possesses the same domestic character. The projecting entrance porch, with its Tudor archway, cut-stone surround and recessed Tudor-arched doorway serves as a visual focal point for visitors approaching the building from the long straight pathway from Scholar's Road. The double glazed wood doors lead directly up a small flight of stairs to the impressive main hall with its high wood-panelled truss ceiling and stone fireplace.

DESIGNATED FEATURES

The boundaries of the designated property extend from the west side of Wallingford Hall to the east side of University Hall and Edwards Hall and from Scholars Road to the ravine edge and the north side of Edwards Hall; it also includes Hamilton Hall and the Alumni Memorial Building.

Important to the preservation of this cluster of six buildings are:

- the original architectural materials and features of the facades and roofs of all six buildings, including the stone ashlar and brick masonry walls; cut stone door/ window surrounds, mullions and tracery; stone entrance steps, carved stone ornamentation, wrought-ironwork (notably the entrance doors of University Hall and Hamilton Hall).
- the landscaped open space within the boundaries defined above, including the low stone wall with the Tudor archway linking University Hall and Edwards Hall.

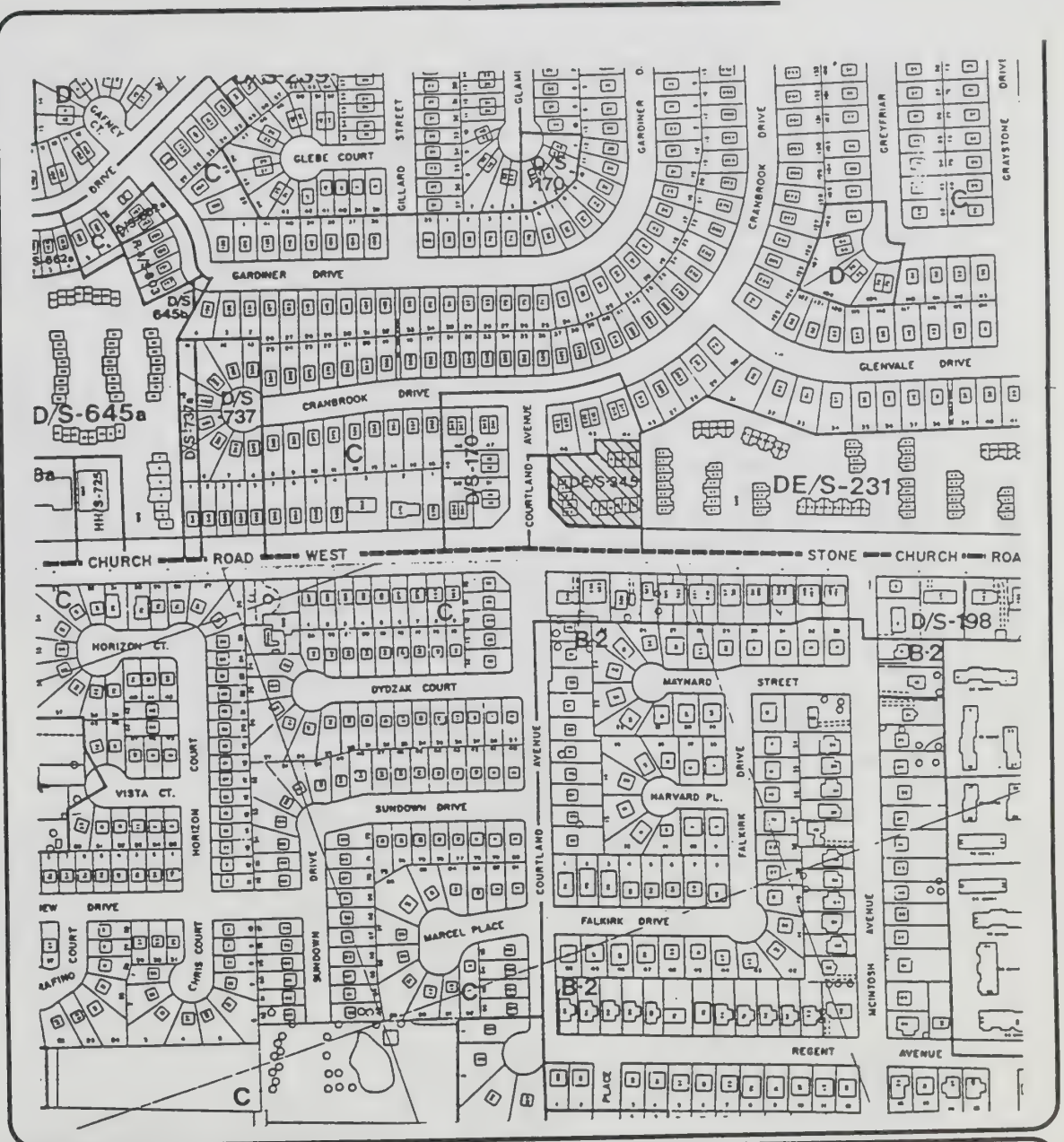
Excluded are:

- the brick masonry entrance and stairwell addition to the south facade of the Refectory, providing access to the basement cafeteria/pub (1964–5).
- the glazed bridge connection to Gilmour Hall on the north facade of the tower of University Hall (1970–71).
- the greenhouse between the Refectory and Hamilton Hall (circa 1968).
- ancillary service and utility structures.

Also important to the preservation of University Hall, the Refectory and the Alumni Memorial Building are the interior spaces identified respectively as Convocation Hall, the Refectory Dining Hall and Memorial Hall and all of their original architectural finishes and features.

1998 March 31

Appendix "J" referred to in Section 17(a) of the SIXTH Report of the Planning and Development Committee for 1998



City of Hamilton

Key Map

11-23 COURTLAND AVENUE

Planning and Development Department

Legend



Location of Subject Lands

North

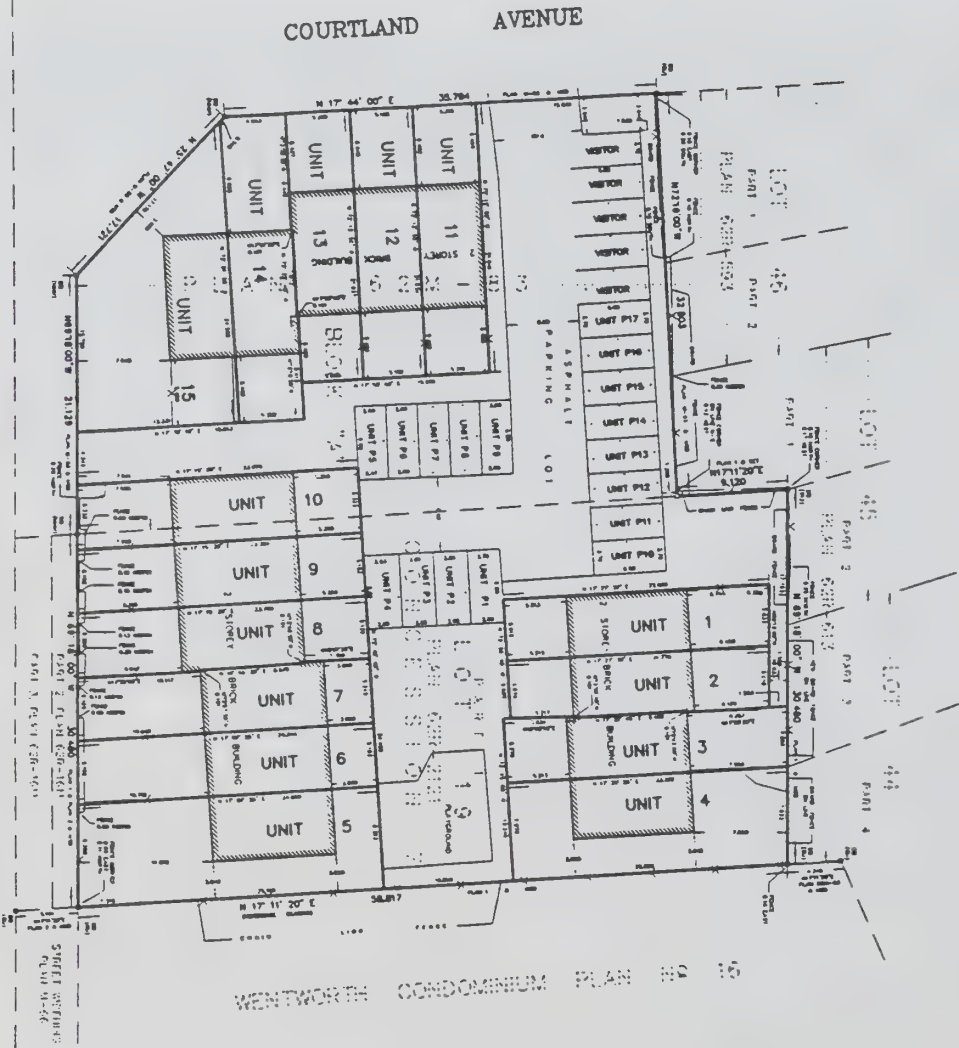


Scale
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Date
March 1998

Reference File No.
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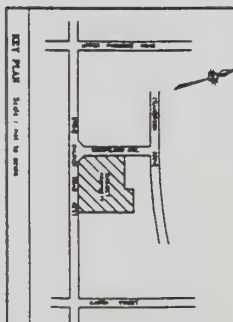
Drawn By
R.L.



METRIC NOTE
DISTANCES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
AREAS SHOWN ON THIS PLAN ARE IN SQUARE METERS AND CAN BE CONVERTED TO SQUARE FEET BY DIVIDING BY 0.0929



WENTWORTH CONDOMINIUM PLAN NO. 15



ROZALIE GARDENS
BEING A DRAFT PLAN OF CONDOMINIUM

LOT 19, CONCESSION 7
IN THE
RECORDING TOWNSHIP OF SMITH
AND ALL OF
BLOCK 'A', PLAN M-83
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF
HAMILTON - WENTWORTH

SCALE 1:200 METERS
A.D. JALAN, O.L.S. - 1998

SURVEYOR'S CERTIFICATE:

I, CLYDE PAUL
THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN HAVE BEEN MEASURED AND THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN

DATED: 1998
SIGNATURE: [Signature]
SURVEYOR: O.L.S.

SECTION 51 (17) PLANNING ACT, AS REVISED

- (a) SHOWN ON PLAN (i) SHOWN ON PLAN
- (b) SHOWN ON PLAN (ii) BOUNDARY PERMITS AVAILABLE
- (c) SHOWN ON PLAN (iii) SET SCHEDULE
- (d) SHOWN ON PLAN (iv) BOUNDARY SERVICES ENDING
- (e) SHOWN ON PLAN (v) SHOWN ON PLAN
- (f) SHOWN ON PLAN (vi) SHOWN ON PLAN
- (g) SHOWN ON PLAN (vii) SHOWN ON PLAN

SCHEDULE
TOTAL AREA OF SITE = 3,301 m²
TOTAL NUMBER OF UNITS = 15
TOTAL RESIDENTIAL PARKING SPACES = 18
TOTAL RESIDENTIAL PARKING SPACES = TWO STOREY
MAXIMUM BUILDING HEIGHT = TWO STOREY

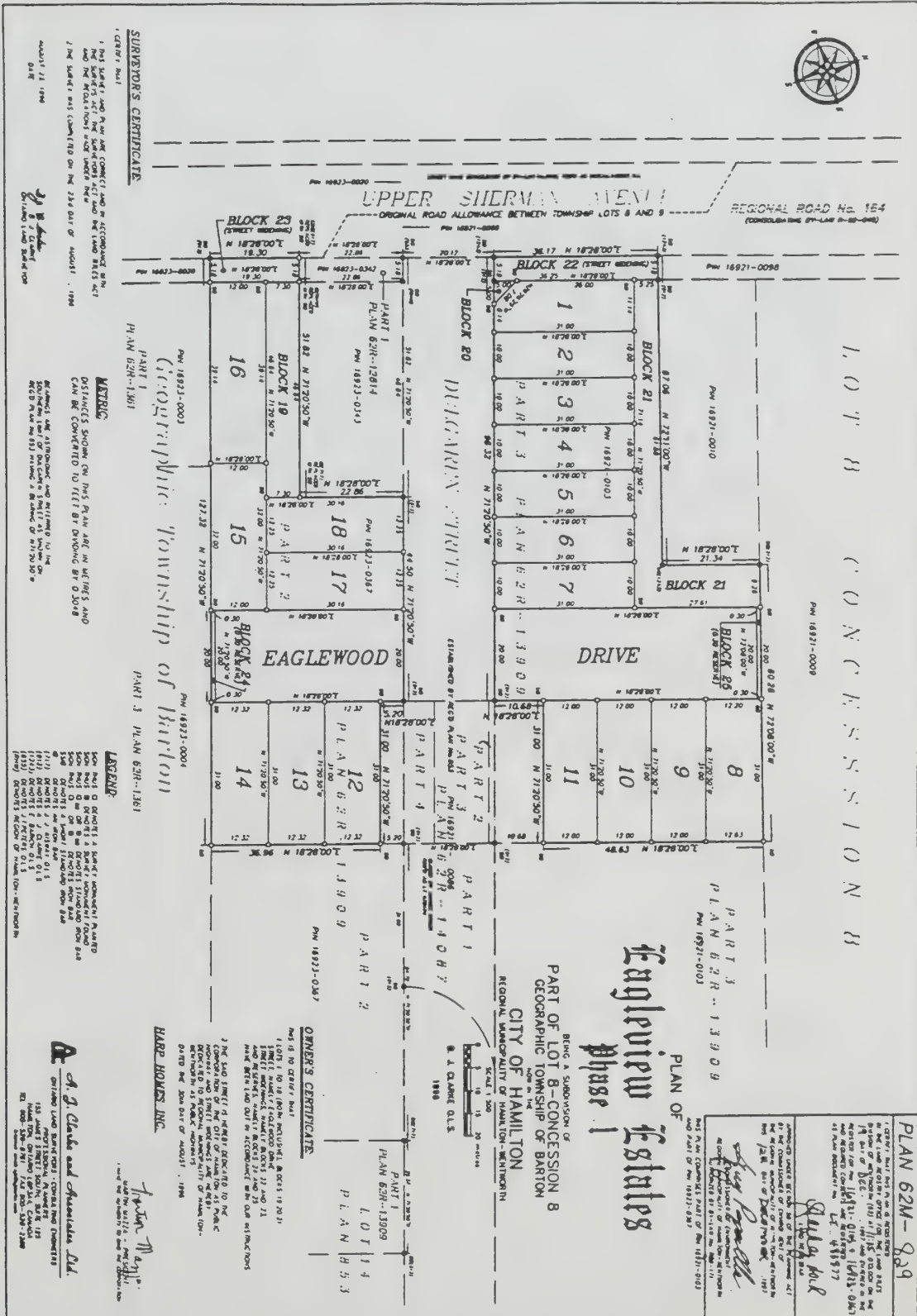
1998 March 31

Appendix "L" referred to in Section 18(a) of the SIXTH Report of the Planning and Development Committee for 1998

EAGLEWOOD DRIVE

M-824

S.K.



M-195
25T-910148

1974. *Oil of Eucalyptus*. 1988.

I CERTIFY THAT THIS PLAN 82-2725
IS REGISTERED IN THE LAND REGISTRY OFFICE
FOR THE LAND TITLES DIVISION OF WESTMORLAND (82)
ON 07-06-2008 AT 11:00 O'CLOCK ON THE 1ST DAY OF
JULY 2008 AND ENTAINED IN
THE REGISTER FOR PROPERTY IDENTIFIER NO
163905-017 1/2305-0166
AND REQUIRED COUNTERS AND AFFIDAVITS ARE
REGISTERED AS PLAN DOCUMENT NO. 2725-2335.

Mrs Ann Connally Ph 1875-2110
 Wm 1875-2110
 School 10 (Chapel) 7 M C - a 250. 2 2. 7. 2.

2

TOWNSHIP OF CLAYFORD

CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON - WESTMORTH
SCALE 1:500

WACKAY, WACKAY & PETERS LIMITED
1980

Surveyor's Book

2 THE SUBJECT WAS COMPLETED ON THE 14TH DAY OF MAY 1964

DATE _____

from the
and's us
Carnado and Sur. (1:1)

Durman's Bodycads

1015-10 is both present in sites near MC04 and MC05 to a 21,400 g site near MC05. It is not seen but is expected in the site near MC05.

2 The single is better known to the community of the

DATE AT RECEIPTION CONTINGENT
THIS 4TH DAY OF SEPTEMBER 1993

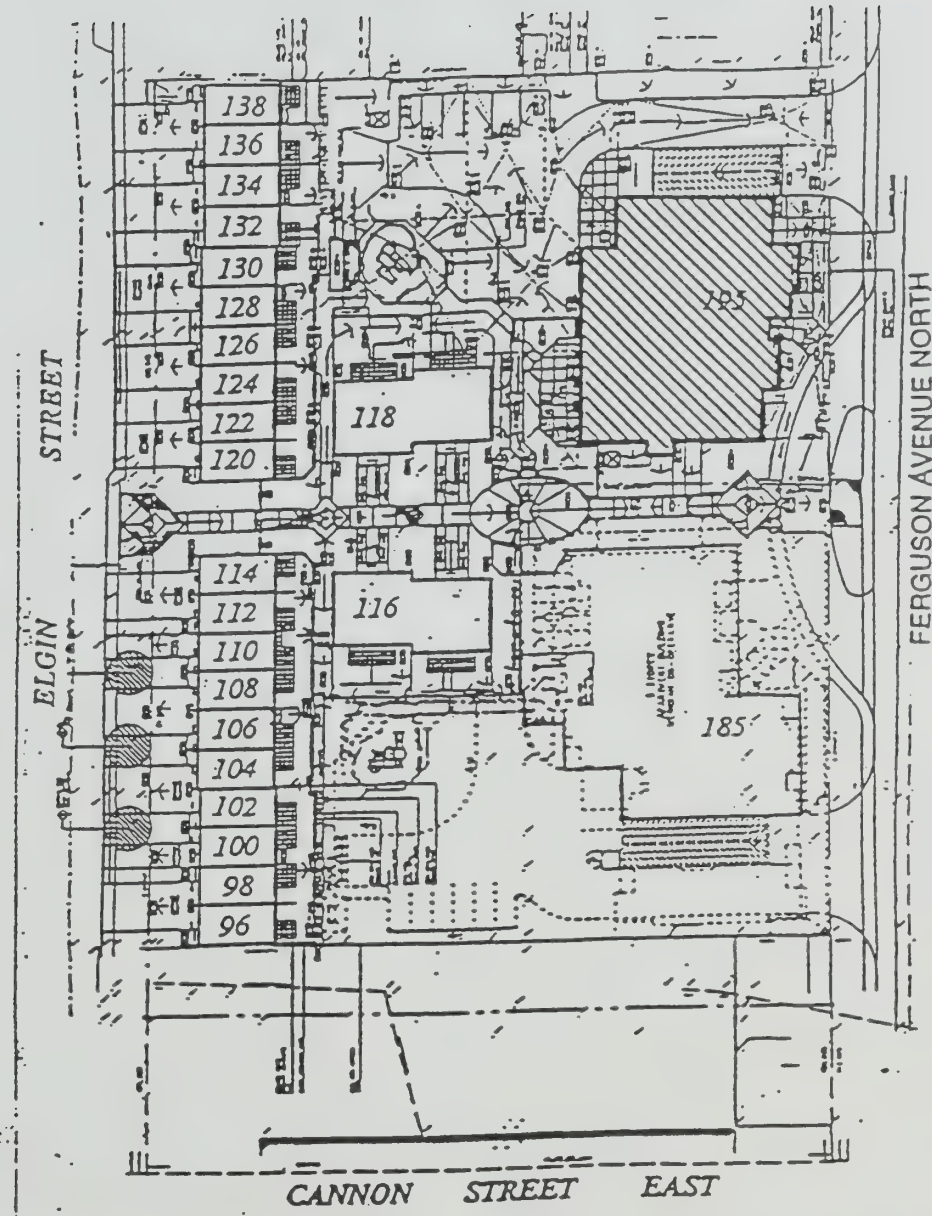
700 AIRLINE ROAD INC

Open a Packet
and the Authors to Read the Concentration

MAXAY
MAXAY
CHINA AND SOUTHERN S.S. & CO.
SUITE 100, UNION CREDIT BLDG.

1. Location of well
2. Date of installation
3. Name of owner
4. Name of contractor
5. Name of inspector
6. Name of engineer
7. Name of geologist
8. Name of hydrologist
9. Name of biologist
10. Name of chemist
11. Name of physicist
12. Name of meteorologist
13. Name of astronomer
14. Name of geophysicist
15. Name of oceanographer
16. Name of atmospheric scientist
17. Name of environmental scientist
18. Name of earth scientist
19. Name of space scientist
20. Name of planetary scientist

C-48



Legend



Site of the Application

FINANCE & ADMINISTRATION
COMMITTEE

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **NINTH** Report for 1998 and respectfully recommends:

1. That the following resolution respecting the Multilateral Agreement on Investments be approved:

WHEREAS the Federal Government is in the process of negotiating the Multilateral Agreement on Investments with the 29 wealthiest countries in the world with the intention of having a signed agreement by 1998 September; and,

WHEREAS concerns about the agreement have already been raised by 565 organizations, with representatives in 70 countries around the world; and,

WHEREAS the citizens of the City of Hamilton have had little access to information and informed debate on the Multilateral Agreement on Investments, from the federal government, and the mainstream media on its implications locally, provincially, federally and globally;

THEREFORE BE IT RESOLVED that the Corporation of the City of Hamilton urge the Government of Canada to suspend negotiations on the Multilateral Agreement on Investments until it has consulted more widely and in depth with the people of Canada, especially and including, the soliciting of detailed responses from municipal councils and their citizens; and further,

That the appropriate City staff prepare a report on the implications of this Agreement on municipal government; and further,

That a copy of this resolution be sent to local M.P.'s, the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.

2. That as referred to in Section 24 of the 5th Report for 1998 of the Transport and Environment Committee, approved by City Council on 1998 March 10th, the City's share of "Brigadoon Park" servicing at a cost of \$186,754.58 be financed from Centre No. CH 00212 "Reserve for Development Charges".

3.
 - (a) That the City of Hamilton accept the offer of Deveaux Babin Productions to host a Hot Spots segment featuring the City in one part of its new series Family Treasures; and,
 - (b) That funding in the amount of \$2,675. (\$2,500. plus \$175. GST) for this expenditure be derived from Unclassified Centre 24201.

4.
 - (a) That the City of Hamilton enter into a Licence Agreement for the five (5) advertising billboards (11 poster panels) with Gould Outdoor Advertising, for the period commencing 1998 June 1 to 2003 May 31, at a rental rate of \$7,100 per poster panel, totalling \$78,100, plus realty taxes for the first year 1998 June 1 to 1999 May 31. On 1999 June 1, a yearly increase of 3% will take effect respectively and revenue from these locations be credited to Account No. CH 44104 31106 (Civic Properties Rented - Rentals); and,
 - (b) That the current Lease Agreement with Mediacom Inc. be terminated effective 1998 April 30; and,
 - (c) That the City Solicitor be authorized and directed to prepare the necessary Licence Agreement for these locations with Gould Outdoor Advertising and the necessary termination documents for Mediacom Inc.; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the Licence Agreement.

5. For the information of City Council, the Finance and Administration Committee have made the following appointments to the Hamilton Status of Women Sub-Committee for a term to expire 1999 March 31:
Alderman M. Kiss
Zaitoon Adatia
Jeanne M. Bernard
Antonella Bifano
E. Petra Cooke
Alison Diamond
Kathryn M. Gamble-Lerchner
Julie Gordon
Vickie Houston
Joan MacDonald
Sherry MacIsaac
Deborah Miller
Joanna Stott
Irene Sushko
Cathy Wellwood
Mark Alan Whittle

6.
 - (a) That a By-law respecting Smoking in Public Places and the Workplace, to come into force on 1998 August 1, be approved in principle; and,
 - (b) That an Implementation Committee consisting of Alderman M. Caplan, Alderman C. Collins, Alderman D. Wilson, Alderman B. Kelly and Alderman D. Haining be established to report back to the Finance and Administration Committee in one month's time.
7. That all area M.P.'s and the Hamilton Harbour Commissioners be invited to attend a meeting with the Committee of the Whole to discuss matters pertaining to the Hamilton Harbour.
8. That the City Solicitor be authorized and directed to prepare a motion for the Courts to enforce the process established by the Walsh decision requiring production of information by the Hamilton Harbour Commissioners to the City's appointed Chartered Accountant.
9.
 - (a) That the City resolve Ontario Court (General Division) Action # 10206/95 by the payment to the Plaintiff, Anthanasios Psarakis, the sum of \$9,500 inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That the Ontario Court (General Division) Action # 10206/95 be dismissed without costs.
10.
 - (a) That an Offer to Purchase 11 Cheever Street for the price of \$40,000, executed by F. Agostino, dated 1998 March 9, be accepted. The said land has a frontage along the westerly limit of Cheever Street of 23.37 metres (76.68 feet) more or less, a depth of 30.25 metres (99.24 feet) more or less and having an irregular shape, comprising a total area of 702.29 square metres (7,559.72 square feet) more or less, being Lot 39 and part of Lot 40, Registered Plan No. 10, said transaction scheduled to close on or before 1998 November 6. Funds derived from this sale less commission be credited to Account Centre CH 00202 (Parking Authority Offstreet Reserve); and,
 - (b) That it be understood and agreed that:
 - (i) This Offer is conditional until the closing date upon the purchaser, at his own cost and expense making application for and obtaining the re-zoning of said property to "D" to permit 3 to 4 residential lots; and,

- (ii) The Vendor permits the submission by the Purchaser of a re-zoning application and agrees to execute such documentation necessary in connection with the said re-zoning; and,
 - (iii) The Purchaser acknowledges and agrees that the Vendor's permission to the application does in no way fetter the City's authority to approve or deny the application; and,
 - (iv) If the required re-zoning set out in paragraph (i) above has not been completed by the date of closing set out herein, this Offer to Purchase shall be null and void and the deposit shall be returned by the Vendor to the Purchaser without interest and the Vendor shall not be liable for any damages or costs; and,
 - (v) As the above-noted condition is for the benefit of the Purchaser, the Purchaser may at any time prior to the closing date, at its option, by written notice, waive the benefit of this condition and proceed to close the transaction without having obtained said re-zoning; and,
 - (c) That the required deposit cheque in the amount of \$4,000 be held by the City Treasurer pending Council approval; and,
 - (d) That it is understood and agreed that the Vendor upon completion of this transaction will pay a real estate commission on the basis of 5% of the purchase price to Homelife State Realty Ltd., whose agent Agostino Ammendolia acted in this matter; and,
 - (e) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) Satisfactory notice has been given to the public of the intended sale; and,
 - (ii) an appraisal of the fair market value of the real property intended to be sold was received on 1998 March 24.
11. That the Memorandum of Agreement between the Corporation of the City of Hamilton and the I.O.U.E. Local 772, entitled "Final Offer", covering the period 1997 August 1 to 1999 July 31, be approved and implemented.

1998 March 31

12. (a) That the Chief Administrative Officer and the Commissioner of Public Works and Traffic proceed with the elimination of 9 positions in the Public Works and Traffic Department, in accordance with the parameters in the City of Hamilton's Severance Policy; and,
- (b) That the Chief Administrative Officer and the Commissioner of Public Works and Traffic be authorized to approve related expenditures for entitlements and for severance payments and bridging, as governed by the severance policy of the City in the estimated amount of \$1,285,000.; and,
- (c) That funding recommendations for costs related to corporate restructuring in 1998 be brought forward to Committee and Council as part of the 1998 Current Budget deliberations.
13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) D-20 A By-law to Amend By-law 94-185, The Property Standards By-law.
- (b) D-21 A By-law to Repeal By-law No. 8131 respecting: The Parking Authority of the City of Hamilton.
- (c) D-22 A By-law respecting: Smoking in Public Places and the Workplace.
- (d) D-23 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1998 March 24**

L I C E N S I N G C O M M I T T E E

1998 March 31

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **SECOND** Report for 1998 and respectfully recommends:

1. That the Bingo Lottery Licence of Hamilton Central Lions Youth Organization be suspended for one event, namely 1998 April 12.

Confidential background information provided to members of City Council under separate cover.

Respectfully submitted,

**ALDERMAN F. EISENBERGER, CHAIRPERSON
CITY OF HAMILTON LICENSING COMMITTEE**

**Stella Glover, Secretary
1998 March 11**

**HAMILTON-SCOURAGE
STEERING COMMITTEE**

(REPORT TO FOLLOW)

1998 March 31

HAMILTON-SCOURGE STEERING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Hamilton-Scourge Steering Committee presents its **FIRST** Report for 1998 and respectfully recommends:

1.

RESPECTFULLY SUBMITTED

ALDERMAN F. D'AMICO, CHAIRMAN
HAMILTON-SCOURGE STEERING COMMITTEE

K. C. Christenson, Secretary
1998 March 31

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1998 MARCH 31
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 184 LOTTRIDGE STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-32 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14. of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 18A.(36)1.(b) of Zoning By-law No. 6593, a distance of not less than 1.5 m shall be provided and maintained between a residential district and the parking area used in conjunction with a restaurant; and
- (b) notwithstanding Section 18A.(36)1.(b) of Zoning By-law No. 6593, a distance of not less than 7.5 m shall be provided and maintained between a residential district and the manoeuvring area and the access driveway used in conjunction with a restaurant; and

- (c) notwithstanding Section 18A.(36)1.(c) of Zoning By-law No. 6593, a landscaped area of not less than 3.5 m in width shall be provided and maintained along and within the westerly lot line abutting Lottridge Street; and
- (d) no access shall be permitted from Lottridge Street.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1396.

5. Sheet No. E-32 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1396.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of

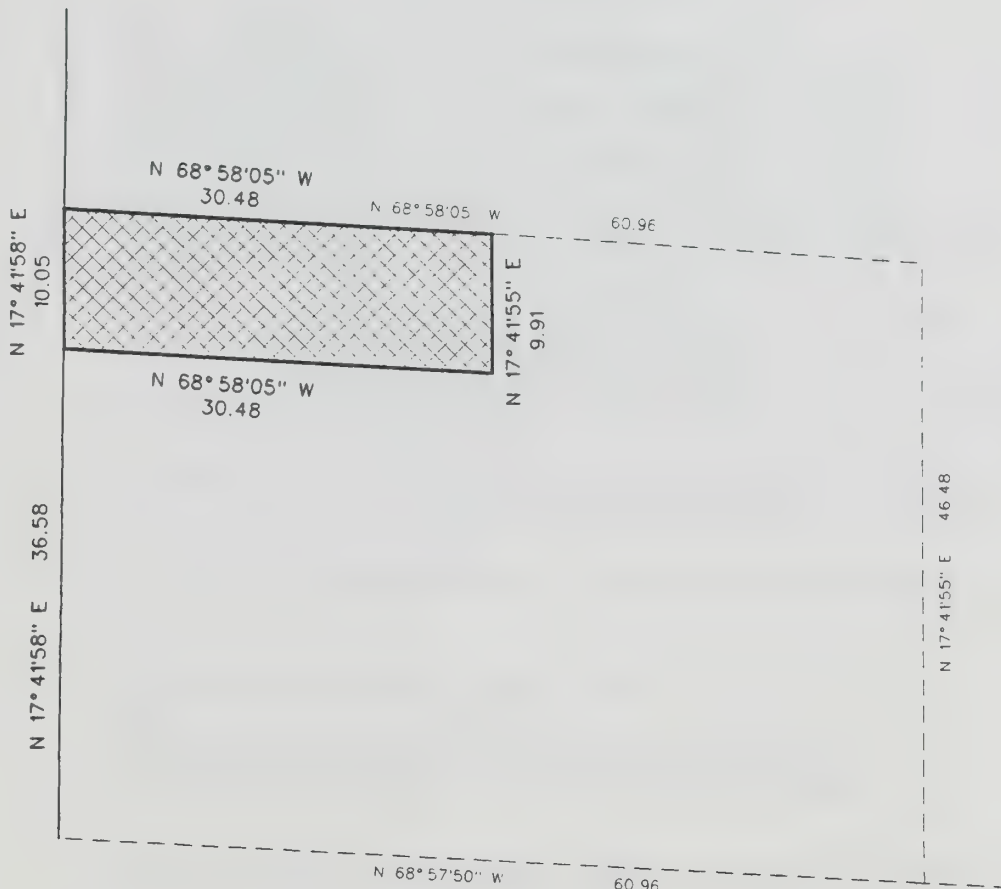
A.D. 1998

CITY CLERK

MAYOR

(1998) 3 R.P.D.C. 2, February 10
 McDonalds Restaurants of Canada, Prospective Owner
 ZAC-97-40

LOTTRIDGE STREET



BARTON STREET EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-.....
Passed the day of, 1998.

Clerk

Mayor

City of Hamilton

Schedule "A"

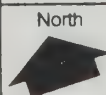
Map Forming Part of
By-Law No. 98-____
to Amend By-Law No. 6593

Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 98-.....



North

Scale
NOT TO SCALE

Date
February 1998

Reference File No.

ZAC-97-40

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 184 LOTTRIDGE STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:
 171. Land located at Municipal No. 184 Lottridge Street, shown on Appendix 171 hereto annexed and forming part of this by-law.
2. Appendix 171 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this

day of

A.D. 1998

CITY CLERK

MAYOR

LOTTRIDGE STREET

N 17° 41' 58" E

10.05

N 17° 41' 58" E
36.58

N 68° 58' 05" W
30.48

N 68° 58' 05" W
30.48

N 17° 41' 55" E

9.91

BARTON STREET EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-.....
Passed the day of, 1998.

Clerk

Mayor

City of Hamilton

Appendix 171

to the By-Law No. 79-275
as Amended by By-Law No. 87-223

Planning and Development Department

Legend



Lands designated under this By-Law
as an area of Site Plan Control
pursuant to section 41 of the
Planning Act, R. S. O. 1990.

North



Scale
NOT TO SCALE

Date
February 1998

Reference File No.

ZAC-97-40

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

By-law No. 86-99

As Amended by By-laws No. 92-056 and 98-044

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-99, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-31, passed on the 10th day of December 1985, known as the "Ottawa Street North Business Improvement Area", more particularly described in By-law No. 86-31, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302, (now Section 220(1) and Section 220(6) of the Municipal Act, R.S.O. 1990, Chapter M.45);

AND WHEREAS By-law No. 92-056, passed on the 11th day of February 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-99;

AND WHEREAS By-law No. 98-044, passed on the 27th day of January 1998, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 98-044;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 7 of the 5th Report of the Planning and Development Committee at its meeting held on the 10th day of March 1998, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2.(a) of By-law No. 86-99, as amended, is repealed and the following substituted therefor:

Alderman D. Wilson
Alderman G. Copps
Alderman B. Morelli
Alderman D. Haining

2. Schedule "B" referred to in clause 2.(b) of By-law No. 86-99, as amended, is repealed and the following substituted therefor:

J. Gut	Textile Discount Centre
T. Bifano	Anton Video
D. Kwiatkowski	Beach Road Meats
J. Bazinet	L. G. Wallace Funeral Home
B. Hodge	Hamilton Vacuum Supply
M. Fresco	Campbell Glass and Mirror
R. Bagliolid	Bell Arte
L. Mattina	Nova Sewing Centre
K. Walton	KJ's Restaurant
K. Shearer	Mary's Flower Shop

3. By-law No. 98-044 is hereby repealed in its entirety.

4. In all other respects, By-law No. 86-99, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

(1998) 5 R.P.D.C. 7, March 10

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 73 KENNEDY AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, modified, the land comprised in Block "1"; and
- (b) by changing from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Block "2",

the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the land comprised in Block "1" are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 9.(4) of Zoning By-law No. 6593, a lot width of at least 21.88 m and an area of at least 681 m² shall be required.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1397.

5. Sheet No. W-9E of the District Maps is amended by marking the lands referred to in section 1.(a) of this by-law, S-1397.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

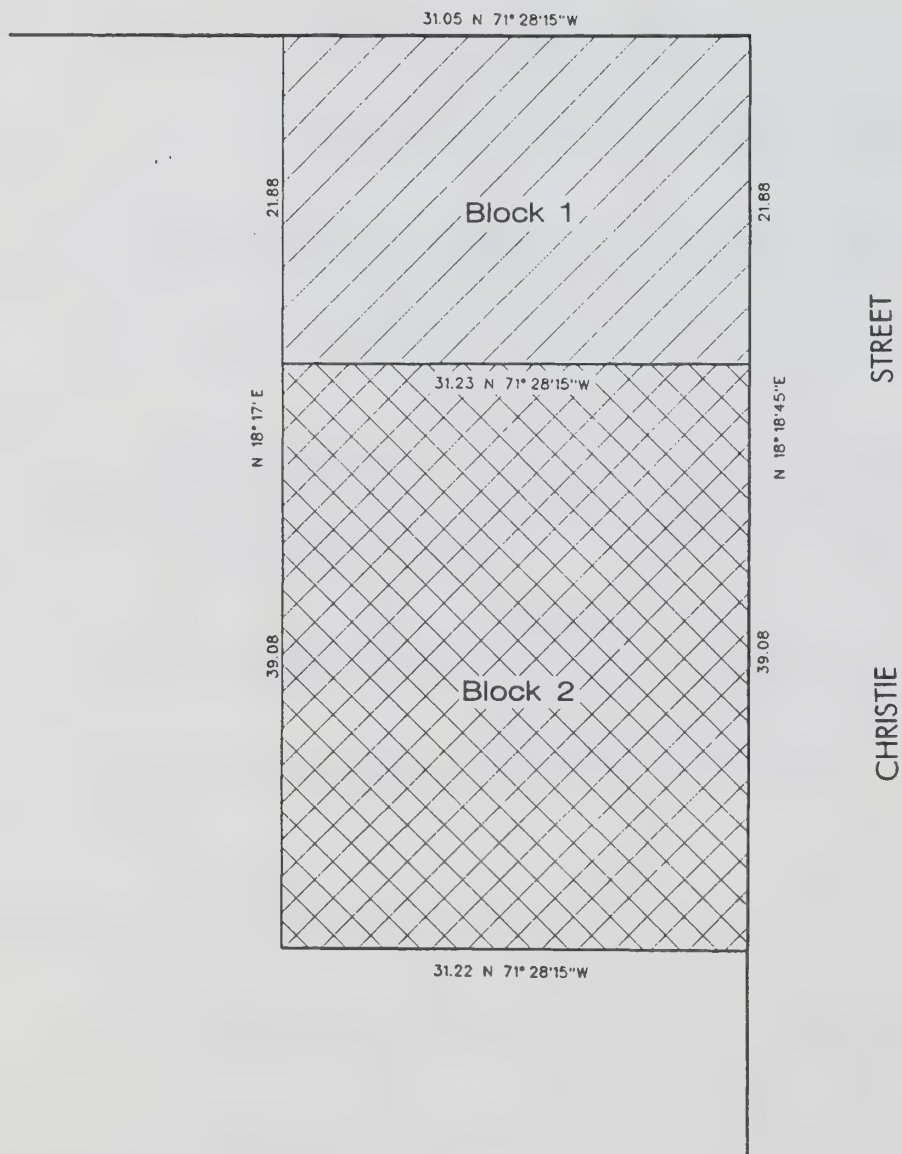
A.D. 1998

CITY CLERK

MAYOR

(1998) 4 R.P.D.C. 1, February 24
Silvia Costabile, Owner
ZAC-97-37

KENNEDY AVENUE



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-.....
Passed the day of, 1998.

.....
Clerk

.....
Mayor



City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 98-.....
to Amend By-Law No. 6593

Planning and Development Department

Legend

- Block 1  "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, Modified.
- Block 2  "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District.

North



Scale
Not to Scale
Date
March 1998

Reference File No.
ZAC-97-37
Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98—

To Remove
Land within the "Eagleview Estates, Phase 1" Subdivision, Plan 62M-829
from Part Lot Control

WHEREAS subsection 5 of Section 51 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements, shall not apply to the following lands:

Lots 1 - 6, inclusive, within Registered Plan Number 62M-829, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.

2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
- (c) This By-law shall expire on April 1, 1999.

PASSED this day of

A.D. 1998.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Extend By-law No. 97-058

Respecting:

**LAND WITHIN THE "ALLISON ESTATES, PHASE 1, STAGE 2"
SUBDIVISION (62M-795)
PLAN 62R-13933**

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 97-058 on April 8, 1997 to remove the lands described in section 1 thereof from part lot control, which by-law shall expire on May 1, 1998;

AND WHEREAS a request has been made for an extension of the time period specified for the expiration of By-law No. 97-058, as it relates to Lots 8 and 19 only;

AND WHEREAS approval under subsection (7.1) is not required for an extension in accordance with subsection (7.4);

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2.(c) of By-law No. 97-058 is hereby repealed and the following substituted therefor:

"(c) Other than Lots 8 and 19, this By-law shall no longer be of any force and effect. As it relates to Lots 8 and 19, this By-law shall expire on May 1, 1999."
2. In all other respects, By-law No. 97-058 is hereby confirmed, unchanged.
3. Where this by-law has been enacted it shall be registered on title to the land described in section 1 of By-law No. 97-058.

PASSED this day of A.D. 1998.

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

To Amend By-law 94-185

THE PROPERTY STANDARDS BY-LAW

WHEREAS By-law 94-185 was enacted on November 8, 1994 to consolidate the Property Standards By-law;

AND WHEREAS Council on January 27, 1998, in adopting Section 4 of the 2nd Report of the Nominating Committee authorized the addition of a definition of "rate payer" to be added to Section 40 of By-law 94-185;

NOW THEREFORE Section 40 of By-law 94-185 is amended by adding the following subsection:

- (3) For the purposes of this Section, "rate payer" shall mean either an owner of property in Hamilton or a tenant shown on the last revised Assessment roll of a property located in Hamilton.

PASSED AND ENACTED this day of , 1998.

CLERK

MAYOR

The Corporation of the City of Hamilton

By-law No. 98-

To Repeal By-law No. 8131

Respecting:

THE PARKING AUTHORITY OF THE CITY OF HAMILTON

WHEREAS Section 207 of the Municipal Act, R.S.O. 1990, Chapter M.45 authorizes a Municipality to create a Municipal Parking Authority;

AND WHEREAS The Parking Authority of the City of Hamilton was created by By-law No. 8131;

AND WHEREAS Council, on March 10, 1998, in adopting Section 12 of the 7th Report of the Finance and Administration Committee, authorized that By-law No. 8131 be repealed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 8131 is hereby repealed.
2. This By-law becomes effective on March 31, 1998.

PASSED this day of 1998.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 98-

Respecting:

SMOKING IN PUBLIC PLACES AND THE WORKPLACE

WHEREAS it has been determined that the presence of environmental tobacco smoke, which is also referred to as "second-hand smoke", in public places and workplaces is a health hazard and a discomfort for persons within the municipality;

AND WHEREAS it is desirable for the purpose of promoting and protecting the health and well-being of persons, especially children, within the municipality to ensure that all public places and workplaces will be entirely free of environmental tobacco smoke at the soonest reasonable time;

AND WHEREAS subsection 213(2) of the Municipal Act authorizes the council of a local municipality to pass a by-law regulating the smoking of tobacco in public places and workplaces in the municipality and designating public places or workplaces, or classes or parts of such places, as places in which smoking tobacco or holding lighted tobacco is prohibited;

AND WHEREAS it is considered equitable for the proprietors of public places and workplaces within the local municipalities which comprise the Regional area, that the provisions of the by-laws regulating the smoking of tobacco be as consistent as possible;

AND WHEREAS Council, on 1998 March 31, in adopting Section 6 of the Ninth Report for 1998 of the Finance and Administration Committee authorized this By-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

PART I: DEFINITIONS

1. In this by-law, the following definitions will apply:

"billiard hall" means premises at which facilities are made available to members of the public for rental to play the game of billiards or games of a similar nature;

"bingo hall" means premises that are used for the purpose of holding bingo lotteries licensed under the authority of an order-in-council of the Province of Ontario and the Gaming Control Act, S.O. 1992, c.24;

"bowling establishment" means premises at which lanes are made available to members of the public for rental to play the game of bowling;

"common area" means that portion of any building or structure including a commercial or retail establishment, residential condominium or multiple dwelling unit apartment building, to which the public or residents may have access, whether as of right or by invitation, express or implied and includes but is not limited to, a reception area for receiving or greeting customers, clients, patients, guests or other persons, elevators, escalators, hallways, stairwells, foyers, lobbies, laundry rooms, lunch rooms, and amenity areas;

"designated smoking area" means an area that is fully enclosed within a public place or workplace, that is located so that members of the public are not required to go through such area in order to gain access to a common area or public washroom that is equipped with a ventilation system that exhausts air directly to the exterior at a rate of fifteen (15) litres per second per person, and supplies tempered air at a rate which is more than ninety (90) per cent of the exhaust air rate, and that is:

- (a) not more than fifty (50) per cent of the indoor seating area of a billiard hall, bingo hall, bowling establishment, gaming centre, public hall or restaurant;
- (b) not more than twenty-five (25) per cent of the indoor floor area of a workplace, but does not include a smoking area referred to in sections 4, 5 or 6, of this By-law;

"employee" means a person who performs any work for or supplies any service to an employer, or a person who receives any instructions or training in the activity, business, work, trade, occupation, or profession of any employer and includes a volunteer;

"employer" means any person who as the owner, manager, contractor, superintendent or overseer of any activity, business, work, trade occupation or profession has control over or direction of, or is directly or indirectly responsible for the employment of, a person in it;

"gaming centre" means premises at which machines or contrivances are made available to members of the public for rental to play games of skill or chance, or a combination of skill and chance, for the purpose of entertainment;

"indoor seating area" means that portion of a billiard hall, bingo hall, bowling establishment, gaming centre, public hall or restaurant, that is normally open to the public, and that contains fixed or non-fixed seating, and includes dance floors, but excludes common areas, washrooms, kitchens, coat-rooms, and storage areas;

"proprietor" means a person who controls, governs, or directs the activities carried on within a public place or workplace, and includes the person actually in charge of such activities;

"public hall" means a building which is available to members of the public for the purpose of a personal or private assemblage of persons, upon payment of a fee;

"public place" means:

- (a) any building or structure or part thereof whether privately or publicly owned that is open to the public, whether or not a fee is charged for entry, and includes but is not limited to, a building, structure or portion thereof for the gathering of persons for the purposes of education, worship, business, recreation, entertainment or amusement, and includes without limiting the generality of the foregoing, common areas, restaurants, banquet halls, patios, food courts, shelters, child care facilities, recreation centres, gaming centres, bingo halls, bowling establishments, billiard halls, sports facilities, arenas whether covered by roof or not, retail stores, shopping malls, commercial establishments, office buildings, educational, financial, religious and government institutions or facilities, cinemas, theatres, concert halls or other places that are normally open to clients, customers, patients, students, guests, residents, patrons or other members of the public;
- (b) transit shelters;

- (c) public transit vehicles;
- (d) public washrooms.

"public transit vehicle" means any vehicle used for transporting the public and includes buses, including school buses and taxicabs;

"restaurant" means a building or portion of a building used for the sale and service of food or drink or both food and drink to the public for consumption on the premises, and includes a take-out service incidental to such restaurant, an area for children's play equipment, pinball or other mechanical or electronic game machines, or dedicated to other recreational activities, but excludes the portion of a building which is used as a food court or indoor patio, or which is not contiguous to the area from which food or drink is sold and served;

"smoke or smoking" includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment but does not include smoking where smoking is an element of a stage production or theatrical performance;

"workplace" means a building or part of a building in which one or more employees work, including employee eating and lounge areas and any vehicle or other conveyance in which an employee works, but does not include a billiard hall, bingo hall, bowling establishment, gaming centre or public hall, or common area.

PART II: REGULATED SMOKING AREAS

2. (1) No person shall smoke in a public place or workplace.
- (2) Notwithstanding subsection (1), a person may smoke in a designated smoking area established under this by-law.
3. The proprietor of a billiard hall, bingo hall, bowling establishment, gaming centre, public hall, or restaurant may establish a designated smoking area within the premises under his or her control, at any time after this By-law comes into force.
4. Notwithstanding subsection 2(1), the proprietor of a billiard hall, bingo hall, bowling establishment, gaming centre or public hall that does not have a designated smoking area, may establish a smoking area that is capable of being readily identified and that is not more than fifty (50) per cent of the indoor seating area of the establishment.
5. (1) Notwithstanding subsection 2(1), the proprietor of a restaurant that is fully enclosed from any adjoining common area, and that does not have a designated smoking area may establish a smoking area, that is capable of being readily identified in accordance with the following table:

Size of Indoor Seating Area

- A. one hundred (100) square metres or less

Maximum Size of Smoking Area

- the lesser of:
1. ten (10) square metres of contiguous indoor seating area; and,

2. twenty-five (25) per cent of contiguous indoor seating area

B. more than one hundred (100) square metres ten (10) per cent of contiguous indoor seating area.

(2) This section is repealed on May 31, 2000.

6. Notwithstanding subsection 2(1), the proprietor of a restaurant that is fully enclosed from any adjoining common area, and does not have a designated smoking area may establish a smoking area that is capable of being readily identified and that is not more than seventy-five (75) per cent of the indoor seating area of the establishment, provided that:

- (a) the proprietor holds a licence issued under the Liquor Licence Act which prohibits the entry of persons under nineteen (19) years of age at the premises to which the licence applies; or,
- (b) the proprietor has filed a house policy with the Liquor Licence Board of Ontario, under subsection 41(6) of Regulation 719 under the Liquor Licence Act.

PART III: PROPRIETORS' DUTIES AND SIGNS

- 7. (1) Every proprietor shall ensure that "no smoking" signs are conspicuously posted so that the signs are clearly visible in all areas where smoking is prohibited under this by-law.
- (2) Every proprietor shall ensure that health warning signs are conspicuously posted so that the signs are clearly visible from all parts of the place where smoking is permitted under this by-law.
- 8. (1) Where smoking is prohibited under this by-law, a proprietor shall inform any person who is smoking in a prohibited area that smoking in that area is prohibited.
- (2) No proprietor shall permit a person to smoke in a place where smoking is prohibited under this by-law.
- 9. (1) Every employer shall inform each employee in a workplace that smoking is prohibited in the workplace within seven (7) days after the day on which this by-law comes into force.
- (2) Where an employer has established a designated smoking area, the employer shall inform each employee in a workplace that smoking is prohibited in the workplace, except in the designated smoking area, within seven (7) days after the day on which the designated smoking area is established.
- 10. Every proprietor shall ensure that ashtrays and other paraphernalia used in connection with smoking are not present in areas where smoking is prohibited under this by-law.
- 11. (1) A health warning sign which is required to be posted under this by-law, shall:

- (a) carry the text "Warning! This area contains tobacco smoke, which causes cancer, heart disease, lung disease, and harms children.";
 - (b) display the graphic symbol having the measurements, proportions and characteristics as illustrated in Schedule "A" to this by-law;
 - (c) be printed in English and such other language as the Clerk shall direct.
- (2) A "no smoking" sign which is required to be posted under this by-law shall:
- (a) carry the text "No Smoking" in capital or lower-case letters, or a combination of them;
 - (b) consist of two (2) contrasting colours, or if the lettering is to be applied directly to a surface or to be mounted on a clear panel, the lettering shall contrast to the background colour;
 - (c) have the following letter heights, based on the maximum viewing distance in the area where smoking is prohibited in direct line of sight:

Maximum Viewing Distance (metres)	Letter Height (centimetres)
3.05	2.54
6.09	5.08
12.19	7.62
24.38	10.16
48.77	15.24
73.15	20.32

- (d) include in the text at the bottom of the sign, the words "City of Hamilton By-Law No. 98- Maximum Penalty \$5,000.00", in letters not less than one hundred and twenty-seven hundredths (1.27) centimetres in height for signs with a letter size of two hundred and fifty-four hundredths (2.54) centimetres, and not less than one-fourth (1/4th) of the height of the letters on all other sizes of signs.
- (3) Notwithstanding, subsection (2) where a proprietor is required to ensure that "no smoking" signs are posted, the graphic symbol prescribed in this subsection may be used to indicate an area where smoking is prohibited:
- (a) the symbol shall include the text "City of Hamilton By-Law No. 98- Maximum Penalty \$5,000.00", in letters and figures at least five per cent (5%) of the diameter of the circle in the symbol, and appropriate symbols such as directional arrows may be added;
 - (b) the symbol shall be on a white background with the circle and the interdictory stroke in red, with a cigarette, letters and figures in black;
 - (c) the diameter of the circle in the symbol shall be not less than the size indicated below, based upon the maximum viewing distance in the area where smoking is prohibited in direct line of sight:

Maximum Viewing Distance (metres)	Diameter of Circle (centimetres)
3.05	10.16
6.09	15.24
12.19	20.32
24.38	30.48
48.77	40.64
73.15	60.96

- (4) Despite the fact that the symbol in subsection (3) is a cigarette, the symbol is deemed to include a lighted cigar, cigarette, pipe or any other lighted smoking equipment.
- (5) Where an employer prohibits smoking throughout the whole of a workplace. Council may permit that employer to post signs, in a form and size satisfactory to Council, which indicate that the whole of the workplace is smoke-free, and, where permission has been given under this section, subsection 8(1) shall not apply to that workplace so long as smoking continues to be prohibited throughout that workplace and the signs approved under this section continue to be posted in the manner prescribed by subsection 8(1).

PART IV: OFFENCES AND ADMINISTRATION

12. Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to the Penalties specified by the Provincial Offences Act R.S.O. 1990 Chapter P.33.
13. A proprietor may prohibit smoking in any part of the premises under his or her control where smoking is permitted under this by-law, even though the proprietor is not required to do so under this by-law.
14. (1) This by-law shall be enforced by the Clerks Department of the City of Hamilton.
- (2) A public health inspector employed by the Regional Municipality of Hamilton-Wentworth is appointed as an inspector for the purpose of enforcing the provisions of this by-law.
- (3) No person shall obstruct or hinder an Inspector from making an inspection to determine whether there is compliance with this By-law.

PART V: COMMENCEMENT AND TRANSITION

15. (1) A health warning sign or a "no smoking" sign posted in a public place or workplace under By-laws No. 80-258 or 89-370 that is still in compliance with the applicable by-law, is deemed to be the sign required under this by-law.
- (2) Where an employer has given notice that smoking is prohibited in the workplace, or that smoking is prohibited in the workplace except in designated smoking areas, in accordance with By-law No. 89-370 the employer is deemed to have complied with section 9 of this by-law.

SCHEDULE "A"

HEALTH WARNING SIGNS

(NOTE: In an actual by-law, this Schedule will commence on a separate page following the body of the by-law.)

Warning



This area contains
tobacco smoke,
which causes
cancer, heart disease,
lung disease, and
harms children.

Medical Officer of Health

BY-LAW NO. 98 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 31st DAY OF MARCH, 1998.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 31st day of March 1998

CITY CLERK

MAYOR



**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

Tuesday, 1998 April 14
7:30 o'clock p.m.
Council Chambers, City Hall

URBAN MUNICIPAL

J. J. Schatz
City Clerk

APR 22 1998

AGENDA

GOVERNMENT DOCUMENTS

1. **National Anthem**
2. **Opening Prayer** **Rev. Bob Sim**
New Westminster Presbyterian Church
3. **Mayor to recognize Cathedral High School senior boys' basketball team who won the OFSAA Gold medal on March 13th.**
4. **Presentation**

Tony Ieluzzi

5. *Adoption of the minutes of the meeting held 1998 March 31*
6. *Correspondence*
7. *Reports of the Standing Committees:*
 - (a) *Transport and Environment Committee*
 - (b) *Parks and Recreation Committee*
 - (d) *Finance and Administration Committee*
8. *Notices of Motion from previous meeting. - Alderman Jackson*
9. *Notices of Motion for next meeting.*
10. *Question Period.*
11. *Adjournment.*

MINUTES

Minutes of Hamilton City Council
Tuesday, 1998 March 31
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps,
Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico,
O'Sullivan.

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Reverend James Ross Dickey, B.A., B.D., St. Paul's Presbyterian Church led Council in prayer.

<p>PRESENTATIONS</p>

Mayor R. M. Morrow presented Certificates of Recognition to Jennifer Davino, John Howard, Chair, Barton B.I.A., Frank Gombar, Robert Dynes.

John Hughes, Director of Ministry of Transportation of Ontario, Safety Policy Branch, presented to Mayor R. Morrow an Award Plaque on behalf of the Hamilton Safety Council. In attendance was Bob Brown, Chair, Hamilton Safety Council; Wes Shoemaker, Fire Chief and Robert Middaugh, Police Chief.

ADOPTION OF MINUTES

Section 3 Re: Current Value Assessment

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the SIXTH Report of the Committee of the Whole for 1998 be amended by adding the following as Section 3:

3. That the City Treasurer be authorized to speak on matters respecting Current Value Assessment. **CARRIED.**

The minutes of the meetings held 1998 March 10 and March 25-26, 1998 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1998 March 18 from R. S. Smith, Secretary to the Board of Commissioners, Hamilton Harbour Commissioners respecting Audited Financial Statements for the years ending December 31, 1980, 1981, 1983, 1984, 1985, 1987, 1990, 1994 and 1995.

Referred to the Finance and Administration Committee.

2. Letter dated 1998 March 16 from R. S. Smith, Secretary to the Board of Commissioners, Hamilton Harbour Commissioners respecting material requested by the City's Auditor's KPMG.

Referred to the Finance and Administration Committee.

3. Application dated 1998 March 10 from Harm Schilthuis and Sons Limited, Ancaster, Ontario for removal of the "H" Holding Provision for lands located at 100 Locke Street South, Hamilton, Ontario.

Received.

4. Application dated 1998 March 11 from Jason D. Rosset, 16-1375 Southdown Road, Mississauga, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "DE" (Low Density Multiple Dwellings) District Modified for Block "1" front portion and from "C" (Urban Protected Residential, etc.) District to "DE" (Low Density Multiple Dwellings) District modified for the rear portion for 1516 Main Street West, Hamilton, Ontario.

Received.

5. Application dated 1998 March 17 from Ukrainian Catholic Episcopal Corp of Eastern Canada, c/o 260 Melvin Avenue, Hamilton, Ontario for a modification to the "D" (Urban Protected Residential - One and Two Family, Dwellings, etc.) District for 260 Melvin Avenue, Hamilton, Ontario.

Received.

6. Application dated 1998 March 18 from Horvat Properties, 3600 Hurontario Street, Mississauga, Ontario for a change in zoning from "A" (Conservation, Open Space, Park, and Recreation) District to "C" (Urban Protected Residential, etc.) District for lands located east of Greenhill Avenue and west of Webster Road and north of the existing railway line in the Nash Orchard Heights South Subdivision.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Hamilton-Scourge Steering Committee, and the Committee of the Whole, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - SIXTH REPORT

Section 7 Re: Zoning Application - 1215443 Ontario Inc. - 243 Fennell Avenue East

It was moved by Alderman Anderson and seconded by Alderman Kelly that Section 7 of the SIXTH Report of the Planning and Development Committee be referred back to the next meeting of the Planning and Development Committee. **CARRIED.**

* * * * *

Section 20 Re: Variances to By-law No. 97-147 for property at 195 Ferguson Ave. North

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Rule No. 9 Re: Bill C-52: A By-law to Adopt the Barton Village Community Improvement Plan.

It was moved by Alderman D'Amico and seconded by Alderman Copps that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a Bill to adopt the Barton Village Community Improvement Plan. **CARRIED.**

* * * * *

Section 23 Re: Bill C-52: A By-law to Adopt the Barton Village Community Improvement Plan.

It was moved by Alderman D'Amico and seconded by Alderman Copps that Section 23 of the SIXTH Report of the Planning and Development Committee be amended by adding sub-section (g) as follows:

C-52 A By-law to Adopt the Barton Village Community Improvement Plan.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - NINTH REPORT

Section 1 Re: Multilateral Agreement on Investments

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -16.

NAYS: Alderman D'Amico. -1.

CARRIED.

* * * * *

Section 5 Re: Expiration date of appointments to the Hamilton Status of Women Sub-Committee.

It was moved by Alderman Kiss and seconded by Alderman Copps that Section 5 of the NINTH Report of the Finance and Administration Committee be amended by deleting the date "1999 March 31" in the third line and inserting in lieu thereof the date "2000 November 30".

Recorded vote on amendment.

YEAS: Mayor Morrow, Aldermen Kiss, Corsini, Copps, Eisenberger, Jackson, D'Amico. -7.

NAYS: Aldermen Caplan, Horwath, Morelli, Haining, Wilson, Collins, Charters, Anderson, Kelly, O'Sullivan. -10.

LOST.

* * * * *

Section 12 Re: Deletion of Nine Positions from Public Works and Traffic Department.

Recorded vote.

YEAS: Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -13.

NAYS: Aldermen Kiss, Copps, D'Amico. -3.

CARRIED.

* * * * *

Section 13 (b) Re: Bill D-21: A By-law to Repeal By-law No. 8131 respecting: The Hamilton Parking Authority

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Aldermen Eisenberger, Anderson. -2.

CARRIED.

* * * * *

Section 13 (c) Re: Bill D-22: A By-law respecting: Smoking in Public Places and the Workplace

It was moved by Alderman Collins and seconded by Alderman Charters that Section 13 (c) of the NINTH Report of the Finance and Administration Committee be tabled.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Caplan. -1.

CARRIED.

<p>CITY OF HAMILTON LICENSING COMMITTEE - SECOND REPORT</p>
--

COMMITTEE OF THE WHOLE - SEVENTH REPORT

Section 1 Re: Municipal Restructuring

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Morelli, Haining, Wilson, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Aldermen Kiss, Copps, Eisenberger. -3.

CARRIED.

HAMILTON-SCOURGE STEERING COMMITTEE - FIRST REPORT

ACTING MAYOR FOR THE MONTH OF APRIL, 1998

It was moved by Alderman Kiss and seconded by Alderman Copps that Alderman B. Morelli be appointed Acting Mayor for the month of April, 1998.

CARRIED.

NOTICE OF MOTION FOR NEXT MEETING

Alderman Jackson gave notice that he would move at the next meeting the following:

WHEREAS; over 179,000 persons have died in traffic collisions in Canada since 1950; and

WHEREAS; it is estimated that 85% of motor vehicle collisions are caused by driver error; and

WHEREAS; speeding and other moving violations, particularly intersection related violations have been identified as factors in many of these preventable collisions; and

WHEREAS; the reduction of speeding and intersection related moving violations could contribute significantly to the reduction of motor vehicle collisions and the severity of collisions in Ontario; and

WHEREAS; the use of electronic enforcement tools such as red light cameras and photo radar have been successfully used in many jurisdictions; and

WHEREAS; the use of electronic enforcement tools such as red light cameras and photo radar in Ontario could reduce the number of needless deaths and injuries occurring as a result of collisions on our roadways and reduce the associated costs to society;

THEREFORE BE IT RESOLVED, that Hamilton City Council supports the use of electronic enforcement tools and urges the Provincial Government of Ontario to facilitate the acquisition and use of these tools by police in Ontario in an effort to increase traffic safety, specifically requesting that Hamilton be considered as a pilot project for the use of this equipment by the Hamilton-Wentworth Police Services.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Hamilton-Scourge Steering Committee, and the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Morelli, Haining, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:15 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
City Clerk
1998 March 31
JJS/dg

C O R R E S P O N D E N C E

Correspondence:

1. Application dated 1998 April 2 from Valery Construction Company Limited c/o Ted Valeri, 2140 King Street East, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District Modified for Block "1", from "AA" (Agricultural) District to "D" (One and Two Family Townhouses) District Modified for Block "2", from "AA" (Agricultural) District to "RT-30" (Street Townhouses) District for Block "3" and from "AA" Agricultural District to "A" (Conservation, Open Space, Park and Recreation) District Modified for Block "4" for lands located at 695 West 5th Street, Hamilton and for 10 lots for small lot single family dwellings (Lots 2-10 inclusive), 10 lots for semi-detached dwellings (Lots 1 and 11-19 inclusive), 4 blocks for street townhouses (Blocks 20-23, inclusive), 1 block for open space (Block 24) and to establish a street (Street "A").

Recommendation: Be Received.

2. Information Report dated 1998 April 8 from J. J. Schatz, City Clerk advising of an objection to By-law No. 98-091 respecting property at 1126 Garth Street, Hamilton, Ontario (previously distributed)

Recommendation: Be Received.

REPORTS

**TRANSPORT & ENVIRONMENT
COMMITTEE**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SIXTH** Report for 1998 and respectfully recommends:

1. That the by-law to sell portions of closed alley adjacent to:

57 East 19th Street	Part 10 Plan 62R-13947
61 East 19th Street	Part 9 Plan 62R-13947
65 East 19th Street	Part 8 Plan 62R-13947
69 East 19th Street	Part 7 Plan 62R-13947
71 East 19th Street	Part 6 Plan 62R-13947
73 East 19th Street	Parts 4 & 5 Plan 62R-13947
75 East 19th Street	Part 3 Plan 62R-13947
376 Upper Wentworth Street	Part 11 Plan 62R-13947
380 Upper Wentworth Street	Part 12 Plan 62R-13947
388 Upper Wentworth Street	Part 13 Plan 62R-13947
392 Upper Wentworth Street	Part 14 Plan 62R-13947
394 Upper Wentworth Street	Part 15 Plan 62R-13947
396 Upper Wentworth Street	Part 16 Plan 62R-13947
398 Upper Wentworth Street	Part 17 Plan 62R-13947
400 Upper Wentworth Street	Parts 1 & 18 Plan 62R-13947
402 Upper Wentworth Street	Part 2 Plan 62R-13947

be prepared to the satisfaction of the City Solicitor and be enacted by City Council.

2.
 - (a) That City Council enact the by-law to alter the roadway of Ferguson Avenue North between King Street East and King William Street by narrowing the pavement from the existing width which varies from 13.7 metres to 14.2 metres to a width of 6.25 metres; and,
 - (b) That southbound traffic flow on Ferguson Avenue North between King Street East and King William Street be restricted to bicycles; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.

3. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Columbia Drive commencing at a point 60 feet south of the south curb line of Bendamere Avenue and extending 188 feet southerly be extended a further 154 feet southerly, and that the City Traffic By-law No. 89-72 be amended accordingly.
4.
 - (a) That a "Permit Parking" regulation be implemented on the south side of Somerset Avenue commencing at a point 334 feet west of Barnesdale Avenue North and extending to a point 18 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Olive Contardi, No. 32 Somerset Avenue.
5. That the existing "Permit Parking" regulation on the north side of Gertrude Street commencing at a point 36 feet west of Rowanwood Street and extending to a point 18 feet westerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
6. That the existing "Permit Parking" regulation on the south side of Francis Street commencing at a point 145 feet west of Douglas Street and extending to a point 20 feet westerly therefrom, and on the north side of Francis Street commencing at a point 68 feet west of Douglas Street and extending to a point 20 feet westerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
7. That the existing "No Stopping" corner clearance on the north side of Harrison Avenue commencing at Harmony Avenue and extending to a point 109 feet easterly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
8. That a "No Parking" regulation be implemented on the south side of Sanatorium Road commencing at Garth Street and extending to a point 110 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

9. That the existing "No Parking" regulation on the west side of Caroga Court between Bonaventure Drive and the southerly end be removed and a "No Parking" regulation be implemented on the east side of Caroga Court between Bonaventure Drive and the southerly end, and that the City Traffic By-law No. 89-72 be amended accordingly.
10. That the existing "Permit Parking" regulation on the east side of Douglas Street between Keith Street and the T.H. & B. Tracks be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
11.
 - (a) That a "Permit Parking" regulation be implemented on the south side of Paul Street commencing at a point 36 feet west of Southview Place and extending to a point 22 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Goodman, No. 2 Southview Place.
12. That a "No Parking" regulation be implemented on the east side of Corsica Court (including the bulb) commencing at Bonaparte Way and extending to the south property line of No. 10 Corsica Court, and that the City Traffic By-law No. 89-72 be amended accordingly.
13. That a "No Parking, 7:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the west side of Caroline Street North commencing at a point 24 feet south of Windsor Street and extending to a point 17 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
14. That the existing "One Hour Parking Time Limit, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the north side of Beach Road commencing Northcote Street and extending to a point 120 feet westerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
15. That westbound traffic on Blanshard Street be required to stop for northbound and southbound traffic on Poulette Street, and that the City Traffic By-law No. 89-72 be amended accordingly.

16. That eastbound traffic on Falconridge Drive be required to stop for northbound and southbound traffic on Upper Paradise Road, and that the City Traffic By-law No. 89-72 be amended accordingly.
17. That westbound traffic on Fieldway Drive be required to stop for northbound and southbound traffic on Cardinal Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.
18. That westbound traffic on Avalon Place be required to stop for northbound and southbound traffic on Arthur Avenue South and that the City Traffic By-law No. 89-72 be amended accordingly.
19. That southbound traffic on Uplands Avenue be required to stop for eastbound and westbound traffic on Norwood Road, and that the City Traffic By-law No. 89-72 be amended accordingly.
20. That northbound traffic on Cellini Avenue be required to stop for eastbound and westbound traffic on Bolzano Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
21. That eastbound traffic on both Townmansion Drive and Racalmuto Street be required to stop for northbound and southbound traffic on Upper Kenilworth Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.
22. That the existing eastbound and westbound stop signs at the intersection of Alconbury Drive and Rexford Drive be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
23.
 - (a) That the existing residential boulevard parking agreement registered as Instrument No. 20467CD to the property at No. 27 Edward Street, be amended at the property owner's expense; and,
 - (b) That the City Solicitor be authorized and directed to process the documents in relation to the amendment and registration of this agreement.

24. (a) That the existing residential boulevard parking agreement registered as Instrument No. VM221466 to the property at No. 20 Hunt Street be amended at the City's expense; and,
- (b) That the City Solicitor be authorized and directed to process the documents in relation to the amendment of this agreement.

25. (a) That the following Hamilton Street Railway bus stop be relocated:

Route No. 27 Upper James

Delete - Southbound Garth Street, west side, 115 feet north of the centre line of Rymal Road West (N/S); and,

Add - Southbound Garth Street, west side, 116 feet south of the centre line of Rymal Road West (F/S); and,

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
26. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Albright Road commencing at a point 379 feet west of the west curb line of Mount Albion Road and extending 25 feet westerly be replaced with a "Wheelchair Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation, and that the City Traffic By-law No. 89-72 be amended accordingly.
27. That in order to correct various inconsistencies created as a result of corporate restructuring, staff reductions and deployments, amendments to various provincial statutes and previous amendments to the City Traffic By-law having succeeding impact on associated regulations, approval be given for the required "housekeeping" amendments to the City of Hamilton Traffic By-law No. 89-72.
28. That the application of 1167829 Ontario Limited owners of No. 141 Catharine Street South, to establish and maintain landscaping measuring 4.50m x 28.0m, a key switch measuring 0.009m x 0.009m and two concrete curbs measuring 0.15m x 4.50m, onto the road allowance of Catharine Street South Avenue, be approved, subject to the following:

- (a) That the owner enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the applicant pay a first year fee \$184 and a subsequent annual fee of \$52.
29. For the information of City Council, the Transport and Environment Committee has appointed Ronald Volterman to the Keep Hamilton Clean Committee for a term to expire 1999 December 31.
30. (a) That a Purchase Order be issued to Premier Waste Systems Limited in the amount of \$0.549 per apartment unit per month, plus G.S.T., for a five year term, being the lowest of six proposals received for the Collection of Compacted Garbage from Apartment Buildings in accordance with the specifications issued by the Purchasing Division, Treasury Department and the Vendor's proposal; and,
- (b) That a contract be entered into satisfactory to the City Solicitor; and,
- (c) That, subject to (b) above, the Contract start date be Monday, 1998 June 1; and,
- (d) That this expenditure be financed through Garbage Collection Account No. CH56320 60301; and,
- (e) That the estimated savings of \$40,000 (including applicable taxes) be a component of the Departmental 1998 current budget reductions, recognizing a one year transition to achieve full savings; and,
- (f) That it be recognized that this five (5) year contract contains an escalation clause that is tied to the Consumer Price Index (All Items, Not Seasonally Adjusted) and that small increases may be required annually in year 2000 and beyond.

31. (a) That the user fee for driveway approach ramp installations and repairs provided by the Public Works and Traffic Department be raised from the existing rate of \$32.29 per square metre established in 1981 to \$66 per square metre effective for all estimates given from 1998 April 15; and,

(b) That the increased user fee revenues be a component in the 1998 Departmental current budget reductions, recognizing a one year transition for project commitments previously given at the lower per square metre rate.
32. That a by-law be enacted to authorize the operation, management and regulation of Municipal Parking Facilities by the Department of Public Works and Traffic.
33. That the Commissioner of Transportation and the City Treasurer be authorized and directed to refund, where already paid, and to otherwise exempt all fees, except for the \$50 registration fee, for active encroachments and outdoor patio cafe agreements within the downtown core of Hamilton bounded by Hunter Street, Cannon Street, Queen Street and Victoria Avenue whose applications are received between 1998 January 1 and 1999 September 1.
34. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) A-29 A By-law to Sell a Closed Portion of the Closed East/West Alley Lying South of No. 73 East 19th Street and the North/South Alley to the North Limit of No. 57 East 19th Street
 - (b) A-30 A By-law to Alter Ferguson Avenue North between King Street East and King William Street by Narrowing the Pavement
 - (c) A-31 A By-law Respecting the Construction, Maintenance, Operation, Management and Regulation of Municipal Parking Facilities
 - (d) A-32 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
 - (e) A-33 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

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(f) A-34 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

**ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson
Secretary**

1998 April 6th

P A R K S & R E C R E A T I O N
C O M M I T T E E

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FIFTH** Report for 1998 and respectfully recommends:

1. That approval as required by Parks By-law No. 95-126, Section 11, Section 29, Section 35 and Section 37 to sell alcoholic beverages, to bring animals in a park and to park vehicles in a park be given to the Regional Municipality of Hamilton-Wentworth to use Bayfront Park to host The Greater Hamilton Aquafest, 1998 July 16 to July 19 from 11:00 o'clock a.m. to 11:00 o'clock p.m. subject to the Standard Terms and Conditions of the Special Event Guidelines including:
 - (a) That the Alcohol and Gaming Commission of Ontario be advised that the Kinsman Club will be applying for a Special Occasion Permit under community festival of municipal significance; and,
 - (b) That Council authorize, on a one time basis, a variance to the Special Events Guidelines - Bayfront Park to permit the closure of Bayfront Park such that the event organizers have exclusive use of the park and to permit the organizers to charge admission to the Aquafest Events; and,
 - (c) That the Public Boat Ramp launch be closed to the public from 1998 July 17 to July 19 inclusive to accommodate pedestrian safety and boat manoeuvring for the Hydroplane Regatta; and,
 - (d) That the Director of Culture and Recreation be authorized to review and report back on the merits and proposed criteria for amending the Special Events Guidelines - Bayfront Park as it pertains to exclusive use for special events.
2. That approval as required by Parks By-law No. 95-126, Section 11, to sell alcoholic beverages, be given to the Greater Hamilton Chinese Dragon Boat Race Society to use Bayfront Park to host the Annual Dragon Boat Races, 1998 July 11 from 12:00 o'clock noon to 8:00 o'clock p.m. subject to the Standard Terms and Conditions of the Special Event Guidelines including:

That the Public Boat Ramp launch be closed to the public on 1998 July 11 from 8:00 o'clock a.m. to 5:00 o'clock p.m., to accommodate pedestrian safety and boat manoeuvring for the Dragon Boat Races.

3. That approval as required by Parks By-law No. 95-126 as amended, Section 5, to host fireworks display, Section 11 - to sell alcoholic beverages and Section 29 - park vehicles in a park and Section 17 (1) and Section 26 of the Fireworks By-law No. 90-198, be given to CJXY FM, a division of WIC Communications (Y95.3 FM) on the occasion of the Y95 Summerfest in Bayfront Park, 1998 August 1, 12:00 o'clock noon to 11:00 o'clock p.m. and are subject to the Standard Terms and Conditions of the Special Events Guidelines.
4. That approval as required by Parks By-law No. 95-126 as amended, Section 11, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the following organizations to allow the sale of alcohol in the locations and on the dates specified:
 - (a) Gourley Park Community Association - Gourley Park (J. A. Macdonald School) 1998 July 4 and July 5; and,
 - (b) Hamilton Ladies Slo-Pitch Association - Turner Park 1998 June 12, June 13 and June 14; and,
 - (c) Hamilton Wentworth Police Association - Turner Park - 1998 July 10, July 11, and July 12; and,
 - (d) Wentworth Adult Mixed Slo-Pitch League - Turner Park - 1998 May 29, May 30, May 31, and July 25, July 26.
5.
 - (a) That approval be given for delegates of the Arts Advisory Commission to attend the Community Arts Ontario Conference on 1998 May 2, at Hamilton, Ontario; and,
 - (b) That registration fees in an amount not to exceed \$300 be drawn from Account No. CH55201 10010.

6. That the amount of \$47,196 be paid to Brusantis Development Corporation to purchase that company's parkland credit balance of 1,591.65 square metres (0.3933 acres), provided that Brusantis Development Corporation execute a release in a form satisfactory to the City Solicitor, and the cost be charged to Account No. CH5X306 00201 (Reserve for Parklands).
7.
 - (a) That the City of Hamilton enter into a Lease Renewal with the Hamilton Bay Sailing Club to lease space in the basement and compound of the Gartshore Thomson Building, Pier 4 Park; and,
 - (b) That the Lease Renewal contain the following terms and conditions:
 - (i) Term - Commences 1998 May 1 and terminates 2003 April 30; and,
 - (ii) Rent - \$2,150 per year plus any applicable taxes; and,
 - (iii) That the Lessee will be permitted to asphalt the yard area within the fenced off portion of the property known as the boat storage area at the Lessee's expense and all work will be approved by the Commissioner of Public Works and Traffic prior to construction; and,
 - (iv) That the City in its sole discretion has the right to grant a five (5) year renewal at terms mutually agreed upon by both parties six (6) months prior to expiration;
 - (c) That rental proceeds be credited to Account No. CH44104 31106 (Civic Properties Rented); and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute a Lease Renewal in a form satisfactory to the City Solicitor.
8.
 - (a) That approval be given to the Director of the Department of Culture and Recreation to deaccession the objects from the Hamilton Military Museum whose accession numbers are listed on Appendix "A" attached hereto; and,
 - (b) That deaccessioned artifacts required by the Hamilton Military Museum be transferred to spare parts or educational programming; and,

- (c) That any deaccessioned artifacts not required by the Hamilton Military Museum be transferred to the Museums listed on Appendix "A" attached hereto.
- 9. (a) That the new Rental Fee Policy for the multi-purpose space at the Hamilton Children's Museum attached hereto as Appendix "B", be approved; and,
 - (b) That the revisions to the room rental rates for the Coach House at Dundurn Castle attached hereto as Appendix "C", be approved.
- 10. (a) That the composition of the Hamilton Veterans Committee as adopted by City Council as Section 14 of the FIFTH Report of the Parks and Recreation Committee for 1996, be amended to read as follows:

That the Hamilton Veterans Committee consist of at least one Member of City Council; the current President of the United Council of Veterans; a Veteran elected at large by the United Council of Veterans; a current President of a recognized Hamilton Veterans Club as recommended by the Presidents and Secretaries Association; the past Chairman of the Hamilton Veterans Committee; and, one war Veteran and one member (either a Veteran or a person from the Regular Forces) recommended by the Veterans holding the previously mentioned appointments.

- (b) That the following members be appointed to the Hamilton Veterans Committee for a term to expire 2000 November 30:

Jack McFarland (Current President of the United Council of Veterans)

Bill Eisan (Veteran elected at large by the United Council of Veterans)

Frank Caldwell (Current President of a recognized Veterans Club as recommended by the Presidents and Secretaries Association)

Mike Roach (Past Chairman of the Hamilton Veterans Committee)

Lloyd Shephard (War Veteran recommended by the Hamilton Veterans Committee)

Tom Dean (Person from the Regular Forces recommended by the Hamilton Veterans Committee)

11.
 - (a) That approval be granted to the Director of Culture and Recreation to enter into a contract in a form acceptable to the City Solicitor with Ham Sports Inc., owner Judy Ham, as the successful bidder, in response to a Request for Proposal issued through the Purchasing Department on 1998 February 27 and closed on 1998 March 18, for the supply, installation, service and maintenance of Arena Rink Board Advertising at the Mountain Arena, for a term approximating 34 months, at a guaranteed annual revenue of not less than \$4,000 and commencing on the signing of this agreement; and,
 - (b) That approval be granted to the Director of Culture and Recreation to enter into a contract in a form acceptable to the City Solicitor, with Boardview Advertising Inc., Jory Sigesmund, as the successful bidder, in response to a Request for Proposal issued through the Purchasing Department on 1998 February 27 and closed on 1998 March 18, for the supply, installation, service and maintenance of Arena Rink Board Advertising at Coronation, Eastwood, Parkdale, Scott Park, Rosedale, Inch Park and Lawfield Arenas for a term approximating 34 months at a guaranteed annual revenue of not less than \$2,000 and commencing on the signing of this agreement.
12.
 - (a) That the Director of Culture and Recreation be authorized to enter into negotiations with officials from the Hamilton District School Board and the other suburban municipalities of the Regional Municipality of Hamilton-Wentworth for the purposes of preparing joint use agreements based on common principles and approaches for the use of School and Community facilities for community sport and recreation purposes; and,
 - (b) That the Director of Culture and Recreation be directed to report back on progress of negotiations on a timely basis.
13. That the revised "Tournament Discount Policy" attached hereto as Appendix "D" be approved and implemented for the 1998 season and beyond at the Hamilton Civic Golf Courses.
14. That approval as required by Parks By-law No. 95-126 as amended, Section 29, to park vehicles in a park; Section 35, to bring horses in a park; and Section 36, to bring dogs into a park, be given to the following organizations, subject to the Special Events Standard Terms and Conditions:

- (a) The Corporation of the City of Hamilton
Hamilton Children's Museum Building Expansion Opening - Gage Park, 1998
April 18 (Horse and wagon rides); and,
 - (b) Kirkendall Neighbourhood Association - HAAA Grounds, Fundraising Event,
1998 May 23 (Canine Unit Display from Hamilton Wentworth Regional Police)
- 15.
- (a) That the actions of the Director of Culture and Recreation in the preparation and submission of two grant applications to the Department of Canadian Heritage to fund a children and youth development project in the Riverdale Community and to begin investigations towards the development of a cultural tourism project involving the bicentennial of the War of 1812 be endorsed on the basis that no City funds are required to finance these projects; and,
 - (b) That the Treasurer be authorized to set up the appropriate accounts to receive funds and process expenditures.
- 16.
- (a) That the daily responsibilities for maintenance of lawn areas, ornamental beds, garden plots, minor repairs be transferred to the Executive Board of Friends of the Aviary on a trial basis for 1998 summer season; and,
 - (b) That funds be transferred from the Department of Public Works and Traffic, Parks Division Operating Budget Account No. CH5140162110 to the Friends of the Aviary to be used to retain their own staff during the trial period; and,
 - (c) That the proposed program as outlined in the attached Appendix "E" be evaluated at the conclusion of 1998 by the Friends of the Aviary, Public Works and Traffic, Parks Staff for the purpose of recommending a 1998 maintenance strategy for consideration of the Parks and Recreation Committee; and,
 - (d) That the City Treasurer be authorized to transfer an amount totalling \$6,000 to the Friends of the Aviary, one instalment payable on 1998 April 15.
- 17.
- (a) That the Durand Neighbourhood Association be permitted to install a commemorative monument in the south-east corner of Durand Park using the architectural remnants of the St. Paul's Presbyterian Church spire, salvaged from the 1944 earthquake and now in the City's possession; and,

- (b) That the Commissioner of Public Works and Traffic be authorized to approve wording of the plaque to be installed with the proposed monument.
18. That the Canadian Merchant Navy Veterans Association be permitted to install a plaque in Sam Lawrence Park dedicated to those who served in the World Wars and the Korean conflict, using an area north of the west parking lot.
19. (a) That the "Report on the City of Hamilton's Natural Heritage Project", available in the office of the Commissioner of Public Works and Traffic, be received by City Council; and,
- (b) That the findings and recommendation contained in this report be used to guide landscape restoration/site remediation at locations included in the project.
20. That the Mayor and the City Clerk be authorized to sign a Location Agreement, in a form satisfactory to the City Solicitor, permitting "Three Miles Apart Productions Ltd." to film a scene in Hamilton Cemetery.
21. (a) That the City of Hamilton expand its cremation services; and,
- (b) That the City of Hamilton pursue its own crematorium/visitation centre; and,
- (c) That the Manager of Cemeteries be authorized and directed to issue a Request for Proposal for a Public-Private Partnership resulting in the construction and operation of a crematorium/visitation centre; and,
- (d) That the Manager of Cemeteries form a Selection Committee with representation from the Law, Treasury and City Clerk's Departments for the purpose of finalizing selection criteria including but not limited to design, size, location, experience, financial stability, demographic studies, marketing plans, revenue sharing, duration of agreements and plan of operation.

22. That the City's purchase of HRCA lands on Hamilton Beach, approved by City Council on 1997 December 11 by adoption of Section 2 of the First Report of the Committee of the Whole, be amended as follows:

- (a) That recommendations (a), (b)(ii) and (e) be amended to reflect a reduction in the net purchase price from \$1,056,589 to \$1,018,685.90; and,
- (b) That recommendation (b)(i) be amended by deleting reference to post-sale adjustments as follows:

"That the City agrees to acquire the lands listed in Schedule 'A' attached and marked Appendix 'A' comprising approximately 10.32 hectares 'as is' both as to quality and area"; and,

- (c) That recommendation (b)(xii) be added as follows:

"That the City agrees to pay its 45% share of the selling costs to the HRCA. These selling costs are payable only upon receipt of documentation from HRCA satisfactory to the City Solicitor and in any event an amount not to exceed \$37,200."

23. (a) That an Offer to Purchase the property at No. 563 Aberdeen Avenue for the price of \$76,000, executed by M. Alksnis, dated 1998 March 25, be accepted. The said land has an area of 459.7 square metres (4,948.3 square feet) more or less, being Parts 1 and 2 on Plan 62R-14339, said transaction scheduled to close on 1998 May 15. Funds derived from this sale be credited to the "Reserve for Hamilton Civic Golf Course Improvement" Account; and,
- (b) That the required deposit cheque in the amount of \$7,600 be held by the City Treasurer pending Council approval; and,
 - (c) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) satisfactory notice has been given to the public of the intended sale; and,

1998 April 14

- (ii) an appraisal of the fair market value of the real property intended to be sold was obtained on 1998 March 16.

Respectfully Submitted,

**ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1998 April 6th

Army and Air Force uniforms and accessories to be transferred to the Canadian Military Heritage Museum Policy, Post 1952 unless otherwise indicated:

82.119.1	Mess dress jacket & vest, 2Lt, pre-1952
83.174.1-2	Battledress blouse & trousers, Army Cadets
83.210.20	Summer issue officer's jacket, Capt. Irish Regiment, World War II
85.278.5	Greatcoat, 2Lt. Canadian Officers' Training Corps
85.285.11-13	Summer tunic, belt and trousers, Brigadier
.14-17	White cotton jacket with shoulder boards & trousers, no insignia
.18	White cotton mess jacket, no insignia
.19-21	Service dress jacket, belt & trousers, general officer post 1952
.23-24	Battledress blouse & trousers, Captain Royal Canadian Regiment
.25-26	Battledress blouse & trousers, Sgt. Ordnance Corps
85.334.7	Service dress, Scots Greys, no insignia, World War II
86.336.1-2	Summer tunic & lanyard, Major RCDC
.3-5	Battledress blouse, lanyard & trousers, Major Dental Corps
.6, 8-9	Service dress tunic, trousers & forage cap, Col. Dental Corps
.10, 12	Dress blue tunic with boards, Dental Corps and waist sash
.14-17	Mess dress jacket, vest, trousers & dress forage cap, Col. Dental Corps
.20	Mess dress overalls, pre World War II
.24-26	Battledress blouse, lanyard & trousers, Sgt. Ordnance Corps
.27-29	Dress blue tunic, trousers & forage cap, Service Corps
87.347.11-12	Tunic & trousers, Cpl Service Battalion
88.382.1	Khaki tunic, no insignia
89.401.1-2, 4	Battledress blouse, lanyard & trousers, Capt. Princess Louise's Fusiliers
.6-7	Service dress tunic & trousers, Princess Louise's Fusiliers
89.418.1-3	Green tunic, trousers & beret, Major, Canadian Forces
90.431.18	Battledress jacket, RCAF Sergeant, World War II
Swagger sticks:	77.214.1, World War II
	77.429.24, World War II English
	77.429.26, World War I
	79.682.1, English World War II
Sam Browne belts:	77.157.17-18, World War I no strap
	78.488.3, World War I no D rings
	79.516.7, World War I no strap
	79.772.3, strap only

Other:

76.104.5	Forage cap, no badge, World War II
77.176.2	Khaki forage cap, officer, World War II
78.459.4	Forage cap, Engineers, World War I
82.119.2	Black bow tie
82.123.6-10	Epaulettes
82.133.2	Cork helmet, no plate or finial
83.174.3	Shirt
83.174.4-6	3 ties
83.174.7-9	3 pair boots
85.285.22	Khaki brassard, no insignia
86.153.3-4, 7	Shirts
86.153.5-6	Ties
86.336.18-19	Pre-World War II mess dress jacket & vest
86.336.47	Khaki shirt
89.411.3	Nursing Sisters beret
94.9.14	Blue veterans' tam, 58th Battalion

Canadian Navy uniforms and accessories, to be offered to the HMCS Star Museum, and if declined then offered to the Canadian Military Heritage Museum:

82.155.11, 14	White mess jacket and trousers, L/Cdr
83.189.8-9	Jacket & trousers, L/Cdr, World War II
84.257.3-4	2 summer tunics, Sub-Lt., no shoulder boards
86.315.7-8	Summer tunic and trouser, W.O.

Deaccession and transfer to the Royal Hamilton Light Infantry Heritage Museum:

76.147.4	Double Sam Browne, World War I no strap
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Deaccession and transfer internally to Dundurn Castle educational programming:

86.321.19	Scottish tam (non-military item)
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THE HAMILTON CHILDREN'S MUSEUM MULTI-PURPOSE ROOM RENTAL POLICY

The rental policy is in place to establish, in priority, the individual(s) or group(s) who has first option for rental; to establish rental rates and any applicable rental subsidies for eligible individual(s) or group(s); and to define deposit and refund criteria.

ROOM RENTAL PRIORITY:

- Museum Programming (including Friends of the Hamilton Children's Museum)
- Private children's functions e.g. birthday parties
- For profit individuals, business, and corporations
- Not-for-profit groups and registered charitable organizations
- Other

ROOM CAPACITY:

40 people

ROOM RENTAL RATES:

Preamble:

- Rental rates are available during museum hours only. Rental rates do not include museum admission. Fee includes free parking, and the use of tables, chairs, coffee urn, sink, and refrigerator. The client is responsible for setting up for function and tidying the room afterwards.
- Prepared food can be brought into the facility however food preparation cannot be accommodated on site.

Room Rental Rates:

- Private children's functions e.g. birthday party - 1.5 hours
Saturdays 11 a.m. to 12:30 p.m. and 1:30 p.m. to 3:00 p.m.
Room rental \$50.00 (\$46.73 + 3.27 GST)

- For profit individuals, businesses, corporations and "for profit" activities (excluding the Friends of the Hamilton Children's Museum)

Half Day (1 to 3 hours) \$75.00 (\$70.09 + 4.91 GST)

Full Day (3 to 7 hours) \$125.00 (\$116.83 + 8.17 GST)

- Not for profit groups and registered charitable organizations

Half day (1 to 3 hours) \$37.50 (\$35.05 + 2.45 GST)

Full day (3 to 7 hours) \$62.50 (\$58.41 + 4.09 GST)

MULTI-PURPOSE ROOM RENTAL SUBSIDY POLICY

100% SUBSIDY: The following individuals and groups will receive 100% subsidy for room rental:

- Museum programming (e.g. school tours and programmes)
- Community groups (e.g. Beavers, Sparks who use the multi-purpose room for museum programming)
- Museum based partnerships (e.g. Friends of the Hamilton Children's Museum)
- Divisional and departmental meetings
- Hamilton Historical Board
- Corporation of the City of Hamilton (committees and sub-committees)

50% SUBSIDY:

The following individuals and groups will receive 50% subsidy for room rental:

- Community groups (e.g. Beavers, Sparks, etc. who use the room for non-museum programming activities)
- Not-for-profit and registered charitable organizations
- Other museums and arts organizations (non-divisional)

0% SUBSIDY: The following individuals and groups will receive 0% subsidy for room rental:

- For profit individuals, businesses and corporations
- Any not-for-profit organizations using the facility "for profit" activities (excluding the Friends of the Hamilton Children's Museum)

REFUND POLICY

1. Full refund if function is cancelled thirty (30) days from date of function.
2. 50% refund if function is cancelled fifteen to twenty-nine (15-29) days from date of function.
3. 25% refund if function is cancelled six to fourteen (6-14) days prior to function.
4. No refund if function is cancelled on the day of the function or up to six days (6) prior to the function. **Please note: Museum admission cancellation fee is separate from this Policy.**

DEPOSIT POLICY

1. A deposit of 50% of the projected rental cost is required at the time of booking or sixty (60) days (whichever is less) prior to the function.

1998 March

RENTAL OF MULTI-PURPOSE ROOM TERMS AND CONDITIONS

Application for use of the multi-purpose room must be completed on form provided.

The time and date requested, and noted on the permit, must include the time required for set-up and clean-up. The applicant must adhere to the times that they have reserved.

Tables, chairs and a refrigerator are provided. Any other equipment desired is the responsibility of the applicant.

The setting up and putting away of equipment is the responsibility of the applicant and the multi-purpose room must be left in a clean manner.

Any costs incurred as a result of damage to the facility or its equipment during permitted time must be assumed by the applicant.

PLEASE DO NOT APPLY TAPE TO WALLS OR TRIM (ask museum staff for material to adhere decorations to walls and trim).

This is a non-smoking facility. No alcoholic beverages are permitted on the premises.

1998 April 14

Other: _____

Name of Organization / and/or Person(s) in Charge

Address: _____

Phone #: _____ Date: _____

We look forward to your visit to the Hamilton Children's Museum!

Appendix "C" as referred
to in Section 9 of the
Fifth Report of
the Parks and Recreation
Committee for 1998

COACH HOUSE ROOM RENTAL RATE INCREASES

	1/2 DAY		FULL DAY	
ROOM	CURRENT	PROPOSED	CURRENT	PROPOSED
Hayloft	\$150.	\$175. (16.6%increase)	\$275.	\$275.
Groom's Quarters	\$ 75.	\$75.	\$125.	\$125.
Restaurant	\$100.	\$150.(50% increase)	\$150.	\$200.(33% increase
Cockpit	\$100.	\$150.(50% increase)	\$175.	\$200.(14% increase)

1998 March

Appendix "D" as referred
to in Section 13 of the
Fifth Report of the
Parks and Recreation
Committee for 1998

**DEPARTMENT OF CULTURE AND RECREATION
POLICY TO ADMINISTER PRICE DISCOUNTING FOR TOURNAMENT PLAY
HAMILTON CIVIC GOLF COURSES**

PURPOSE OF THE POLICY:

The purpose of this policy is to provide direction to staff in the administration of price discounting for tournaments at Hamilton Civic Golf Courses.

The price discounting is made available for events whose primary purpose is to generate funds for charitable purposes within the City of Hamilton.

This policy replaces the existing section of the "Policy to Administer Culture and Recreation Department Facility Use Passes" approved by Council on 1995, July 11. The remaining elements of this policy remain in force and effect.

A. PRICE DISCOUNTS FOR CHARITABLE EVENTS/LARGE CONVENTIONS:

Discounts for play on Hamilton's Civic Golf Courses be granted on the basis of buy three (3) green fees and receive the fourth (4th) green fee free.

This discounting will be granted to Hamilton-based registered charitable organizations and not for profit community organizations when the event is for the sole purpose of raising funds to support the activities of the organization. As well, discounting will be offered as part of the convention packages in coordination with Economic Development

Tournaments will normally be scheduled at a time that will not hamper access to the courses during peak operating periods. This time frame will normally be within the hours of 11:00 a.m. and 4:00 p.m. on weekdays.

PROCEDURES:

1. All requests for discounts must be made in writing and received by the Director of Culture and Recreation no less than 60 days prior to the date of the proposed event
2. Applicants must state the purpose of the charitable event and whom will be the beneficiaries of the proceeds of the event.
3. Applicants should state the preferred date for the event as well as alternate date.
4. The Director of Culture and Recreation reserves the right to schedule charitable golf tournaments at his sole discretion but will ensure all reasonable efforts to accommodate requests in a manner that will not disrupt access to the course by members and green fee players.

B. COMPLIMENTARY PASSES FOR MEMBERS OF GOLF EXECUTIVES:

Annual membership passes will be provided to the duly elected Presidents and one other member of the executive of the men's and women's sections of each golf course memberships.

C. COMPLIMENTARY GOLF PRIVILEGES:

Complimentary golf privileges will be granted on a limited basis and at the discretion of the Director or designate for on-site employees (greens staff, pro shop, and concessions) outside working hours with access to the courses limited to times other than weekends and holidays.

Press, visiting Golf Superintendents and visiting Professionals may golf free of charge upon presentation of credentials and advance notice.

D. EXECUPASSES:

Execupasses will be honoured at both courses provided the standard form at each course is completed by the pass holder.

An Execupass will be issued for the Manager of Outdoor Sports Facilities in his capacity as line manager responsible for golf course operations.

E. ISSUANCE OF FREE PASSES:

The Director of Culture and Recreation, at his/her discretion, may provide free passes as part of a marketing strategy to enhance the visibility of the Civic Courses or entice additional membership, greens fee or tournament play.

Appendix "E" as referred
to in Section 16 of the
Fifth Report of the
Parks and Recreation
Committee for 1998

**CITY OF HAMILTON
CHURCHILL PARK AVIARY AND COMMUNITY GARDENS PILOT
MAINTENANCE PROGRAM FOR 1998**

FRIENDS OF THE AVIARY RESPONSIBILITIES:

- employ, supervise and otherwise be responsible for personnel necessary to maintain hours of operation 8:00 a.m. to 8:00 p.m. daily from May 1, 1998 to October 15, 1998;
- opening and locking of gates daily following the abovenoted schedule
- cutting and trimming all lawn areas within the perimeter hedge and fence lines in accordance with City specifications.
- planting and maintenance of ornamental beds;
- A pre-season roto-tilling of garden plots areas not accessible by City operation equipment.

CITY OF HAMILTON RESPONSIBILITIES:

- training of Friends of the Aviary grounds maintenance staff in the operation and maintenance of equipment and specified horticultural practices
- pre and post season roto-tilling of main garden plot areas
- supply flowers
- supply sprinklers and hoses for irrigation
- supply small tools (gardening)
- supply lawnmower, weedeater, rototiller and assume responsibility and costs to ensure the equipment is maintained in good working order
- ensure fuel is available for use in supplied equipment
- monitor the turf/garden areas and offer advice on mowing, irrigation practices

The proposed program would be evaluated at the end of the 1998 season by the City of Hamilton, Manager of Parks and Executive members of the Friends of the Aviary to confirm the merits of the program and determine any changes in funding allocation and/or responsibilities affecting either party for 1999.

Funding allowance for Friends of the Aviary:

Total Transfer: \$6,000.

TERM OF PROGRAM:

1998 season, subject to program evaluation during and at the end of the pilot term.

FINANCE & ADMINISTRATION
COMMITTEE

1998 April 14

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **ELEVENTH** Report for 1998 and respectfully recommends:

1. That a purchase order be issued to G.C. Duke Equipment Ltd., Burlington, in the amount of \$132,307, including volume order discount and all applicable taxes, being the lowest total acquisition cost meeting specifications of four tenders received in accordance with specifications issued by Purchasing and Vendor's tender. This purchase includes one (1) 5 Gang Sports Field Mower to be financed through T. B. McQueston Park Development, Capital Funds account No. CF 629254005 as approved by City Council 1997 March 18, and one (1) replacement, 5 Gang Sports Field Mower to be financed through the Reserve for Mobile Equipment Account pending the approval of the 1998 Capital Funds. The 4 Wheel Turf Truckster to be financed through the Turner Park Development Phase II, Capital Funds account No. CF 629754034 as approved by City Council 1997 March 18.

2. That the following resolution respecting the Canadian Auto Industry be approved:

WHEREAS the auto industry, largely due to the Auto Pact, is critical to the economic health of Canada and its communities, with this important industry having been described as the engine of the Canadian economy; and,

WHEREAS trade policy has always been central to Canadian auto policy, with the auto industry providing 150,000 direct jobs (assembly and components) and some 175,000 spin-offs (steel, plastics, glass, rubber, etc.); and,

WHEREAS the federal government is contemplating an end to the Auto Pact by eliminating tariffs on all vehicles and components coming from overseas; and,

WHEREAS overseas auto companies have demonstrated a markedly lower commitment to investment and jobs than Big Three Companies; and,

WHEREAS the elimination of tariffs facing non auto-pact companies would inevitably lead to significant job losses in the many communities in Canada that depend on the auto industry, either directly or indirectly through related activities such as part, production and spin-off economic activity;

THEREFORE BE IT RESOLVED that the federal government be urged to reverse it's recent decision on auto parts and cease any action, legislative or otherwise, that would lead to the elimination of auto tariffs on vehicle assembly and further, that the federal government fully commit to protect the principles of the auto pact; and,

BE IT FURTHER RESOLVED that Hamilton City Council hereby go on record with federal and provincial governments in supporting the immediate withdrawal of any intention to implement such tariff removal and ensure the protection of the Auto Pact, and that the Prime Minister of Canada and the Premier of Ontario be so advised.

3.
 - (a) That the City of Hamilton renew the lease with the Hamilton Municipal Employees' Credit Union Limited, respecting the use of approximately 100 square feet of the area adjacent to the walkway between City Hall and the Football Hall of Fame; and,
 - (b) That the new term be for a period of five (5) years commencing 1998 March 26 and expiring 2003 March 25, at a rental rate of \$2,000 per year plus taxes of \$690.13 for 1997, and proceeds be credited to Account No. CH 44104 31106 (Rental Civic Property - Civic Properties Rented); and,
 - (c) That the option to renew the lease for a further five (5) period shall be at the discretion of the City with the rate and terms to be mutually agreed upon six (6) months prior to the expiry of the lease; and,
 - (d) That upon termination of the lease, the Lessee will remove its equipment and restore the site to its original state; and,
 - (e) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement in a form satisfactory to the City Solicitor.
4.
 - (a) That authorization be given to establish an Open Order with Group 4 C.P.S. Limited of Hamilton, Ontario for City Hall security services for the remainder of 1998 through to and including 2001, this being the lowest of six tenders received in accordance with the specifications issued by the Purchasing Division, Ref: C2-398; and,
 - (b) That the annual expenditure (approximately \$50,000) be financed from Account CH 56333 31102 City Hall - Security.
5.
 - (a) That as referred to in Section 13 of the Third Report for 1998 of the Parks and Recreation Committee approved by City Council at its meeting held Tuesday, 1998 February 24th, a new interest bearing reserve "Reserve for Golf Course Improvement" be established for future development of Hamilton Civic Golf Courses; and,

- (b) That the proceeds from the sale of an easement, in the amount of \$50,000, for a Sanitary Sewer across the Chedoke (Martin) Golf Course to Chedoke Terrace Inc. be credited to the new reserve "Reserve for Golf Course Improvement".
- 6. (a) That the City of Hamilton advise the Province of Ontario that it objects to the Community Reinvestment Fund and Special Transition Assistance allocations to the City of Hamilton as announced on 1998 March 30; and,
 - (b) That the Province of Ontario be requested to correct the calculations of these figures and revise the allocation of these funds to the City of Hamilton to better reflect the costs of the Province's initiatives to City taxpayers.
- 7. (a) (i) That 177 Sherman Avenue North be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and,
 - (ii) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law; and,
- (b) (i) That an Offer to Purchase under Power of Sale under mortgage for the property at 177 Sherman Avenue North for the price of \$50,000, executed by 805726 Ontario Inc. (Mike Valvasori, President), dated 1998 March 25, be accepted. The said land has an area of 728.4 square metres (7,841 square feet) more or less, being Lot 15 on Registered Plan 245 in the City of Hamilton, said transaction scheduled to close 1998 June 23. Funds derived from this sale less commission be credited to Account Centre CH 00115 (Reserve for Contingency); and,
 - (ii) That the required deposit cheque in the amount of \$5,000 be held by the City Treasurer pending Council approval; and,
 - (iii) That the Offer be approved subject to clauses which state:
 - (1) That the Vendor consents to the Purchaser, at their sole expense, to make application to the Assessment Review Board - Ministry of the Attorney General, appealing the assessment on the subject property prior to closing and the Vendor agrees to sign any required documentation for that application and to do all things reasonably necessary in support of it; and,
 - (2) That the Purchaser acknowledges that the closing of the herein transaction is not conditional upon the successful completion of said assessment appeal. The Purchaser shall be required to close the herein transaction regardless of the status of the appeal; and,

- (3) Upon closing, the Purchaser agrees to immediately proceed to fix up the facade of the building in an aesthetically pleasing manner.
 - (iv) That upon successful completion of this sale, a real estate commission of 6% of the sale price be paid to Blair, Blanchard, Stapleton Ltd. (Robert Miles, Agent), who acted in this matter; and,
 - (v) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (1) Satisfactory notice has been given to the public of the intended sale; and,
 - (2) An appraisal of the fair market value of the real property intended to be sold was obtained on 1998 April 7.
- 8. (a) That the organizational structure for the City Clerk's Department, attached herewith and marked as Appendix "A", which provides for the following changes, be approved:
 - (i) Inclusion of the Real Estate Division into the City Clerk's Department as approved by City Council on 1997 May 14; and,
 - (ii) Inclusion of the Imaging function of the Information Systems Department into the Administration Division of the City Clerk's Department as approved by City Council on 1997 September 30; and,
 - (iii) Transfer of the Establishment and Mobile licensing and Smoking Control functions to the Building Department effective 1998 April 15; and,
 - (iv) Transfer of responsibility for the operation of the Hamilton Farmers' Market to the Culture and Recreation Department effective 1998 April 15; and,
 - (v) Inclusion of the Committee of Adjustment function into the Legislative Division effective 1998 April 15; and,
- (b) That the following positions be eliminated:
 - (i) Licence Steno I (one vacant position-currently funded); and,
 - (ii) Smoking Control Officer (one vacant position-currently funded); and,
 - (iii) Legislative Assistant II (one position-funding deleted 1995); and,
 - (iv) Legislative Steno II (one vacant position-funding deleted 1997); and,
 - (v) .5 FTE Committee of Adjustment (effective 1998 June 30); and,
 - (vi) Chief Appraiser, Real Estate Division (effective 1998 June 30); and,

- (c) That the position of Lottery Clerk be established and that job documentation for this position be prepared and forwarded to the Commissioner of Human Resources for review and establishment of salary classification; and,
- (d) That the following additional changes be approved:
 - (i) Reduction of one level of supervision in the Real Estate Division with the elimination of the position of Chief Appraiser; and,
 - (ii) Restructuring of the reporting relationship in the Legislative Division to provide for the Legislative Steno's in that division to report directly to the Manager of Legislative Services rather than the Legislative Assistants and also implement generic job descriptions for all Legislative Steno's in the division; and,
 - (iii) Elimination of the Licence Division with the transfer of the establishment and mobile functions to the Building Department and transfer of the lottery function to the Administrative Division; and,
 - (iv) Transfer of the Administrative Assistant II, formerly in the Property Department, to the Legislative Division/C.A.O. relief; and,
 - (v) Transfer of the following staff complement to the Building Department along with the transfer of a \$445,000 expenditure base and a \$949,000 revenue base to reflect the transfer of the Establishment and Mobile components of the Licence Division:

Manager, Licence Division
3 Licence Clerks
Chief Licence Inspector
Licence Inspector/Mechanic
2 Licence Inspector II's

- (vi) Transfer of the following staff complement to the Culture and Recreation Department along with the transfer of a \$270,500 expenditure base and a \$472,930 revenue base to reflect the transfer of the operation of the Hamilton Farmers' Market:

Market Manager
Market Clerk
Market Cleaner
Attendant II
Loading Dock Attendant

9. (a) That the Building Commissioner be authorized and directed to implement restructuring of internal divisions within the Building Department to facilitate delayering, multi-tasking, reduction of supervision, empowering of staff, and greater cost efficiency; and,
- (b) That the existing position of Manager, Licence Division transferred from the City Clerk's Department be retitled a Project Manager and report directly to the Building Commissioner and be deleted no later than 1999 July 1; and,
- (c) That three existing Licence Clerk positions transferred from the City Clerk's Department be deleted and replaced with two Customer Service Representatives effective 1998 September 15; and,
- (d) That the existing Chief Licence Inspector transferred from the City Clerk's Department be retitled to a Supervisor of Licensing; and,
- (e) That the function of the Committee of Adjustment be divided with the City Clerk's Department effective 1998 April 15 by:
 - (i) Transferring the position of Secretary-Treasurer and the expenditure base of \$58,320 to the City Clerk's Department; and,
 - (ii) Transferring the .5 Committee of Adjustment Clerk and the expenditure base of \$19,910 to the City Clerk's Department; and,
 - (iii) Reassigning the Customer Service Loans Officer to the Customer Services Division of the Building Department; and,
 - (iv) Transferring an expenditure base of \$6,000 for postage to the City Clerk's Department; and,
- (f) That the Manager of Customer Services report directly to the Building Commissioner; and,
- (g) That the Director of Technical Services and Deputy Building Commissioner be retitled to Director of Field Services and Deputy Building Commissioner; and,
- (h) That the position of Manager of Administrative Services be deleted and replaced with a new position of Customer Service Engineer/Office Administrator; and,
- (i) That new job descriptions be sent to the Commissioner of Human Resources for classification.

1998 April 14

10. Pursuant to the Indemnification By-law, that City Council provide the Building Commissioner with independent counsel to represent him in the application by the Hamilton-Wentworth Sponsors Association Inc., for the revocation of Building Permit No. 97 007896 000 00 issued for alterations for casino purposes in Jackson Square.
11. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-25 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

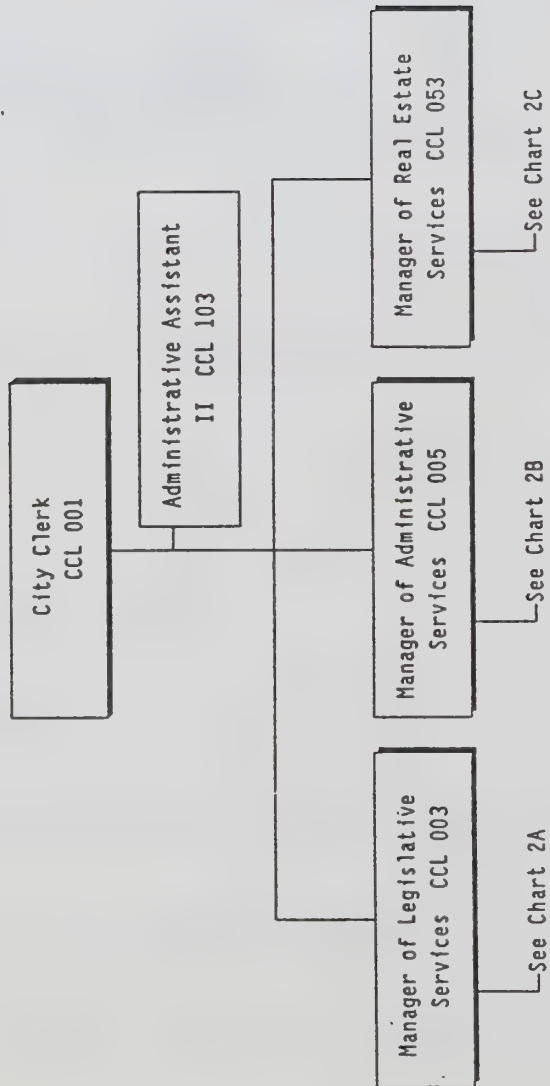
Respectfully submitted,

**ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1998 April 7**

CITY CLERK'S DEPARTMENT
"PROPOSED ORGANIZATIONAL STRUCTURE"

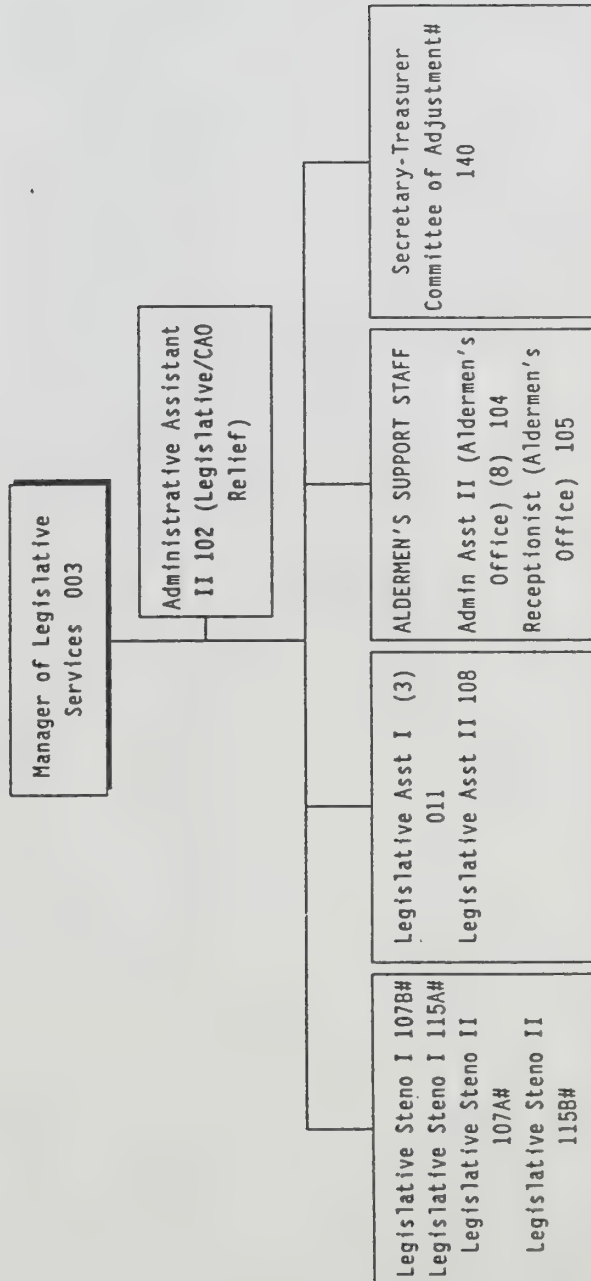
Chart 1 of 2



March 30, 1998

Chart 2A of 2

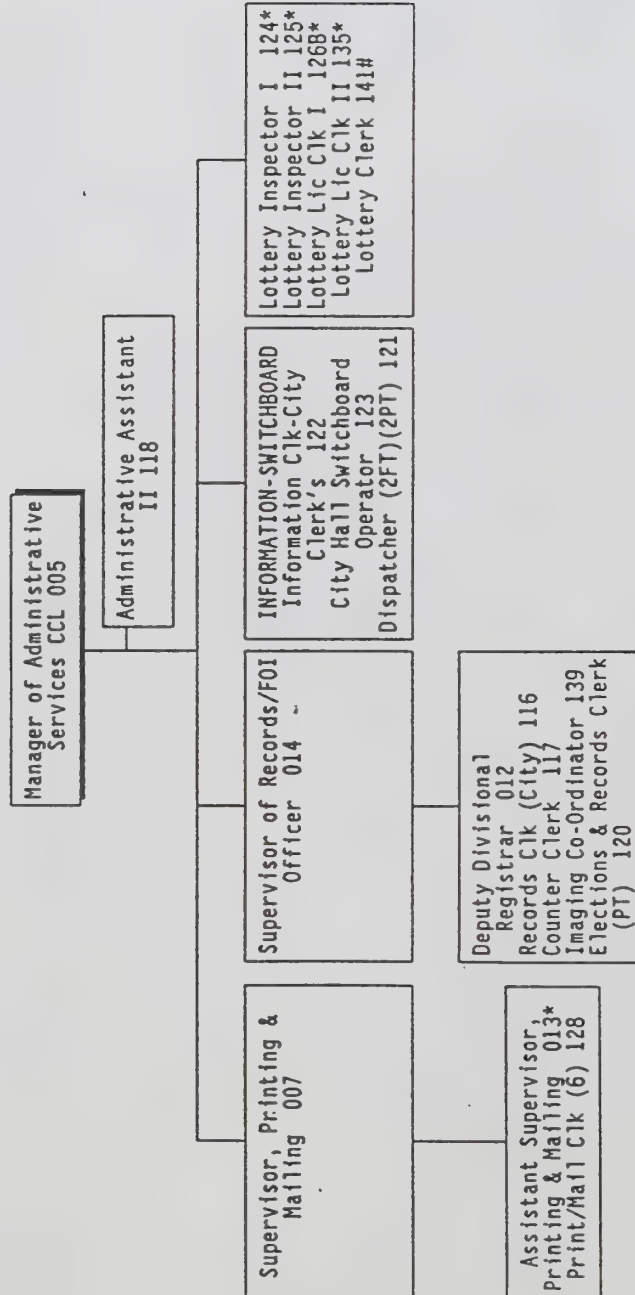
CITY CLERK'S DEPARTMENT "PROPOSED ORGANIZATIONAL STRUCTURE"



March 30, 1998
#To Be Reviewed

Chart 2B of 2

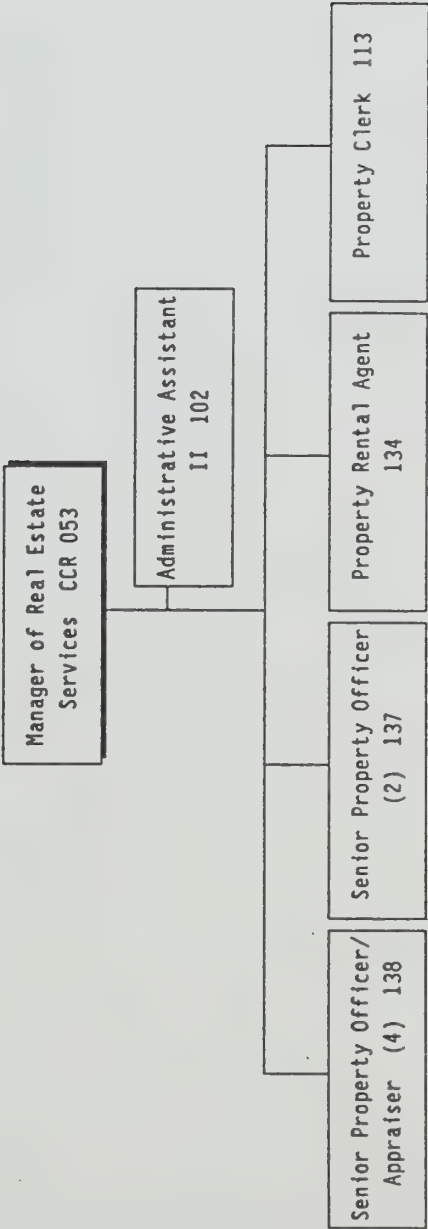
CITY CLERK'S DEPARTMENT "PROPOSED ORGANIZATIONAL STRUCTURE"



March 30, 1998
*To Be Reviewed
#New Position

Chart 2C of 2

CITY CLERKS DEPARTMENT
"PROPOSED ORGANIZATIONAL STRUCTURE"



March 30, 1998

NOTICES OF MOTION
FROM PREVIOUS MEETING

NOTICE OF MOTION

MOVED BY: ALDERMAN _____

SECONDED BY: ALDERMAN _____

**Subject: Photo Radar/Intersection Cameras
 Electronic Enforcement Tools**

WHEREAS; over 179,000 persons have died in traffic collisions in Canada since 1950; and

WHEREAS; it is estimated that 85% of motor vehicle collisions are caused by driver error; and

WHEREAS; speeding and other moving violations, particularly intersection related violations have been identified as factors in many of these preventable collisions; and

WHEREAS; the reduction of speeding and intersection related moving violations could contribute significantly to the reduction of motor vehicle collisions and the severity of collisions in Ontario; and

WHEREAS; the use of electronic enforcement tools such as red light cameras and photo radar have been successfully used in many jurisdictions; and

WHEREAS; the use of electronic enforcement tools such as red light cameras and photo radar in Ontario could reduce the number of needless deaths and injuries occurring as a result of collisions on our roadways and reduce the associated costs to society;

THEREFORE BE IT RESOLVED, that Hamilton City Council supports the use of electronic enforcement tools and urges the Provincial Government of Ontario to facilitate the acquisition and use of these tools by police in Ontario in an effort to increase traffic safety, specifically requesting that Hamilton be considered as a pilot project for the use of this equipment by the Hamilton-Wentworth Police Services.

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1998 APRIL 14
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

TO SELL A CLOSED PORTION OF THE CLOSED EAST/WEST ALLEY LYING
SOUTH OF #73 EAST 19TH STREET AND THE NORTH/SOUTH ALLEY TO THE
NORTH LIMIT OF #57 EAST 19TH STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the said Alley has been closed by Judge's Order registered as LT480136 and authorized to sell by City Council in adopting Item 20 of the 2nd Report of the Transport and Environment Committee on 1998 January 27.

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

AND WHEREAS notice of the City's intention to pass this By-law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton.

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of the By-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the sale of the closed portion of the Alley designated as:

Parts 1 to 18 on Plan 62R-13947.

City of Hamilton
Regional Municipality of Hamilton-Wentworth

is hereby authorized.

2. That the above mentioned lands be sold to the following abutting owners for the sum of \$2.00 each as authorized by City Council on 1998 January 27:

Part 10 Plan 62R-13947	P. Redmond and N. Redmond
Part 9 Plan 62R-13947	W. Wojcik, J. Wojcik and B. Wojcik
Part 8 Plan 62R-13947	D. McVittie and M. Bremer
Part 7 Plan 62R-13947	G. Facciuolo and I. Facciuolo
Part 6 Plan 62R-13947	D. Avolio and P. Avolio
Part 4 & 5 Plan 62R-13947	J. McIlwee and A. McIlwee
Part 3 Plan 62R-13947	C. Goritsas and T. Lindsay
Part 11 Plan 62R-13947	T Vasilevski and M. Vasilevski
Part 12 Plan 62R-13947	C. Mancini
Part 13 Plan 62R-13947	N.D. Hunt, S. Junkin and A. Hunt
Part 14 Plan 62R-13947	D. Piotrowski

(cont'd pg 2)

Part 15 Plan 62R-13947
Part 16 Plan 62R-13947
Part 17 Plan 62R-13947
Part 1 to 18 62R-13947
Part 2 Plan 62R-13947

R. Hussey and K. Deiter
T. Shaw
G. McDuffee and D. McDuffee
M. McDuffee
G. Kruk

PASSED this

day of

A.D. 1998

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

TO ALTER FERGUSON AVENUE NORTH BETWEEN KING STREET EAST
AND KING WILLIAM STREET BY NARROWING THE PAVEMENT

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close or sell any highway or part of a highway;

AND WHEREAS the portion of highway known as Ferguson Avenue North is a local road under the jurisdiction of The Corporation of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 21 of the 5th Report of the Transport and Environment Committee on March 10, 1998, authorized that steps be taken in accordance with the Municipal Act to advertise Notice of the City's intention to alter Ferguson Avenue North as hereinafter described;

AND WHEREAS Notice of the City's intention to pass this By-law to authorize the said alteration has been published as required by Section 300 of the Municipal Act for four (4) consecutive weeks in The Spectator, a newspaper having general circulation of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

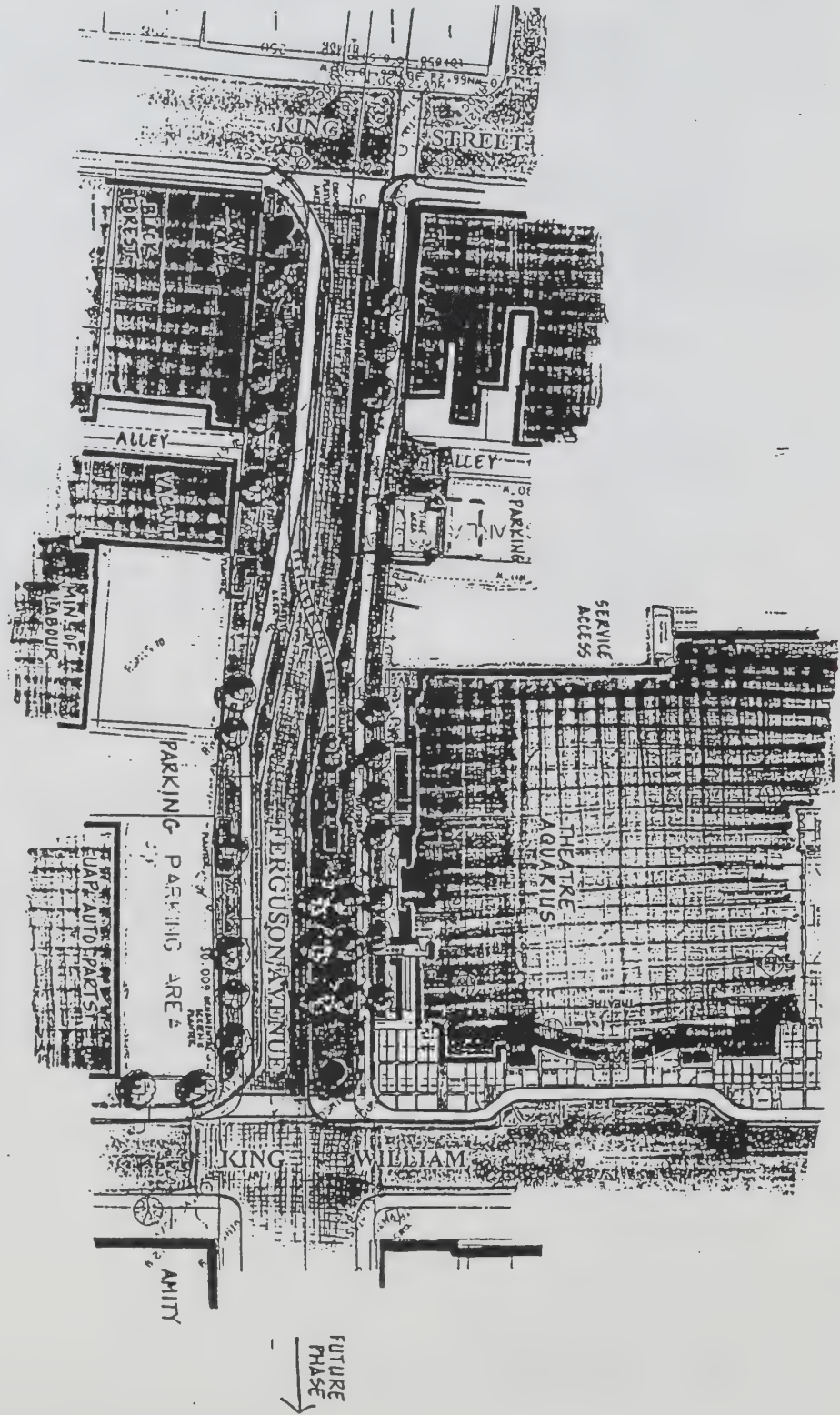
1. That the alterations be approved and carried out to Ferguson Avenue North between King Street East and King William Street, for the purpose of narrowing the travelled portion of the said street from the existing width which varies from 13.7 metres to 14.2 metres to a width of 6.25 metres, as illustrated in Schedule "A" attached hereto.
2. That the Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the said works.

PASSED this day of , 1998.


CITY CLERK

MAYOR

(1998) 5 R.T.E.C. 21, March 10



THIS CONCEPT PLAN ILLUSTRATES THE DESIGN INTENT AND IS SUBJECT TO FURTHER REFINEMENT DURING THE DETAILED DESIGN AND CONSTRUCTION STAGES.

 <p>CITY OF MARILLTOWN</p>	
<p>FERGUSON AVE. REVITALIZATION</p>	
<p>PROPOSED CONCEPT KING WILLIAM TO KING STREET</p>	
<p>Scale: N.T.S.</p>	<p>Date: 11/11/11</p>
<p>Drawn: [Name]</p>	<p>Check: [Name]</p>
<p>Project: [Name]</p>	<p>Sheet: [Name]</p>

THE CITY OF HAMILTON

BY-LAW NO. 98-

RESPECTING:

THE CONSTRUCTION, MAINTENANCE, OPERATION, MANAGEMENT
AND REGULATION OF MUNICIPAL PARKING FACILITIES

WHEREAS Sub-section 56 of Section 207 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, confers upon the councils of all municipalities the authority to acquire, establish, lay out and improve land, buildings, and structures where vehicles may be parked, and for erecting buildings or structures for, or in connection with, the parking of vehicles;

AND WHEREAS Sub-section 56 of Section 207 of the Municipal Act, as amended, further provides for the regulation, supervision and governing of the parking of vehicles on land so acquired, established, laid out and improved;

AND WHEREAS Sub-Section 57 of Section 207 of the Municipal Act, as amended, provides for the assumption, by the municipality, of the undertakings, documents, assets and liabilities of the parking authority which has ceased to exist subsequent to the repeal of the by-law establishing the said parking authority;

AND WHEREAS the Council of the Corporation of the City of Hamilton, in adopting Item 12 of the SEVENTH Report of the Finance and Administration Committee, at its meeting held on the 10th day of March, 1998, did resolve to repeal City of Hamilton By-law No. 8131 and thereby dissolve the Hamilton Parking Authority;

AND WHEREAS Paragraph (6) of Section 191 of the Municipal Act, as amended, confers upon the councils of every corporation the authority to pass by-laws providing for the use by the public of lands of which the corporation is the owner and for the regulation of such use and the protection of such lands;

AND WHEREAS the Council of the City of Hamilton, in adopting Item ____ of the NUMBER Report of the Transport and Environment Committee, at ist meeting held on the ##th day of April, 1998, did resolve to enact a By-law providing for the construction, maintenance, operation, management and regulation of municipal parking facilities;

NOW THEREFORE The Council of the City of Hamilton enacts as follows:

DEFINITIONS & INTERPRETATIONS

1. (1) In this By-law,
 - (a) "by-law enforcement officer" means any person so designated by a By-law of the City of Hamilton and includes a "parking control officer" and any officer of the City appointed for carrying out the provisions of this By-law;
 - (b) "car park" means an off-street parking facility under the jurisdiction, management, and control of the City of Hamilton and listed in Schedule 1 of this By-law;
 - (c) "city" means the Corporation of the City of Hamilton;
 - (d) "city council" means the Council of the Corporation of the City of Hamilton;
 - (e) "commissioner" means the Commissioner of Public Works and Traffic for the City of Hamilton;

- (f) "Department of Public Works and Traffic" means the Department of Public Works and Traffic of the City of Hamilton;
- (g) "dime" means a ten cent coin of lawful money of Canada or a ten-cent coin of the same approximate size, of lawful money of the United States of America;
- (h) "dollar coin" means a one hundred cent coin of lawful money of Canada or the United States of America;
- (i) "holiday" means and includes every

New Year's Day
Good Friday
Victoria Day
Canada Day
Labour Day
Thanksgiving Day
Christmas Day
Boxing Day

and any day established as a civic holiday by the City Council;

- (j) "metered car park" means a car park where the payment of fees for the use of the parking space is controlled and regulated by the use of parking meters or other mechanical or electronic equipment;
- (k) "nickel" means a five cent coin of lawful money of Canada or a five-cent coin of the same approximate size of lawful money of the United States of America;
- (l) "park" or "parking" when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;
- (m) "parking fees" means the fees established by the City Council from time to time for the parking of vehicles in car parks;
- (n) "parking meter" means any automatic or other mechanical or electronic device, constructed and installed for the purpose of controlling and regulating the parking of any vehicle in an adjoining parking space by measuring the amount of time for which the payment of a fee has been made;
- (o) "parking space" means that part of a car park the use of which is designated for the purpose of parking of a single vehicle;
- (p) "police constable" means a police constable who is a member of the Hamilton-Wentworth Regional Police;
- (q) "quarter" means a twenty five cent coin of lawful money of Canada or a twenty-five cent coin of the same approximate size, of lawful money of the United States of America;
- (r) "stop" or "stopping" when prohibited, means the halting of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a constable or other police officer or of a traffic control sign or signal;

- (s) "two dollar coin" means a two hundred cent coin of lawful money of Canada;
 - (t) "valid permit" means a permit issued by the Department of Public Works and Traffic and in force for the period for which the payment of fees has been made in advance for the car park for which it was issued;
 - (u) "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include the cars of electric or steam railways running only upon rails.
- (2) In this By-law, during any period of the year when what is commonly known as Daylight Saving Time has been generally adopted in the City of Hamilton under any Act, by-law, resolution or proclamation, whether the same is effective in law or not, all references to time in this By-law shall be deemed to be references to such Daylight Saving Time.
 - (3) Should any section, sub-section, or provision of this By-law be repealed or declared by a competent Court of Law to be illegal, that said section, sub-section, or provision only shall be severed from the remainder of the By-law and the remainder shall continue to be valid and remain in force and effect.
 - (4) Schedule 1, attached to this by-law, is included in and shall be considered part of this by-law.

APPLICATION OF BY-LAW

- 2. (1) The provisions of this By-law apply to all municipal car parks listed in Schedule 1 of this By-law.
- (2) Provisions requiring payment of parking fees, and prohibitions against using parking spaces in a metered car park while no paid-for and unexpired period of time is indicated on the adjacent parking meter or other device, shall apply only on those days and during such periods of time as are indicated on the meter or by signs erected on the car park.

ENFORCEMENT

- 3. It shall be the duty of members of the Hamilton-Wentworth Regional Police and those duly appointed By-law Enforcement Officers, generally to enforce the provisions of this By-law.

SIGNS AND TRAFFIC CONTROL DEVICES

- 4. It shall be the duty of the Commissioner of Public Works and Traffic to cause to be erected and maintained all parking meters and such other devices to regulate parking, and all signs and other traffic control devices required or authorized by this By-law, or as may be deemed by the Commissioner to be desirable, as such may be required from time to time to regulate the use of any car park, or to warn or guide traffic on any car park for the safety or convenience of the public.

LIABILITY FOR LOSS OF DAMAGE

5. The Commissioner shall cause suitable signs to be erected and maintained in prominent positions in all car parks, giving notice that the parking fees are for the use of parking spaces only and the City is not responsible for loss or damage of any kind whatsoever to any vehicle or its contents, however caused.

FEES AND PERMITS

6.
 - (1) Any person utilizing a car parks listed in Schedule 1 of this By-law shall pay such fees or charges as are described in the aforesaid schedule.
 - (2) The City Council may from time to time establish, at its pleasure, such fees or charges as may be deemed necessary and appropriate for the use of any car park or any space or area within a car park.
 - (3) Notwithstanding subsection (1), the City Council reserves the right to waive or modify any fees or charges which may be applicable to the use of any car park.
 - (4) The Commissioner may cause to be issued permits authorizing the use of a car park, or an area or space within a car park, for any purpose, or exempting the permit holder from one or more of the regulations governing a car park and the fees or charges, if any, for the use of said permit shall be paid to the City at such time as is satisfactory to the Commissioner.
 - (5) Such permits as are issued under sub-section (4) remain the property of the City and may be revoked, recalled, or declared invalid and not in force or effect, at any time and without notice, by the Commissioner.

GENERAL PROHIBITIONS

7.
 - (1) Except as provided in sub-section (2), no person shall in any car park where parking meters or such other devices as are constructed and installed to regulate parking on the basis elapsed time;
 - (a) park or stop any vehicle without depositing the parking fees in the adjacent parking meter and, after the deposit of each coin, turning the handle, if any, to an extent sufficient to cause the meter to register and display the amount of time paid for;
 - (b) park or stop any vehicle in any area of any car park where pre-paid ticket machines have been provided without first purchasing a ticket by depositing coins in accordance with the prescribed parking fees and displaying the ticket in the windshield on the driver's side of the vehicle and in clear view from the exterior of the vehicle;
 - (c) park or stop any vehicle in any area of any car park where receptacles have been provided for the pre-payment of parking fees without first depositing therein the prescribed parking fees;
 - (d) leave parked or stopped at any parking space, any vehicle, at any time when no paid-for and unexpired period of time is indicated on the adjacent meter, save and except in such cases where the said parking meter is out of order or has been removed for repairs;

- (e) leave parked or stopped at any parking space, any vehicle, at any time in the instance where the adjacent parking meter is out of order, or has been removed for repairs, for a period of time in excess of the maximum allowable amount of time as is indicated upon the said parking meter, or upon such other parking meters as are located in the car park;
 - (f) deposit in any parking meter, pre-paid ticket machine, or parking fee receptacle, anything save nickels, dimes, quarters, dollar coins, or two dollar coins; or,
 - (g) open or attempt to open a parking meter unless authorized to do so.
- (2) A vehicle may be parked, left parked, or stopped, in a car park without depositing a coin or coins in an adjacent parking meter, pre-paid ticket machine or receptacle provided for the pre-payment of parking fees:
- (a) for a period of time, if any, which is paid for and unexpired as shown on the adjacent parking meter;
 - (b) where there is displayed in or upon the vehicle a valid permit issued by the Department of Public Works and Traffic for use on the car park on which the vehicle is parked;
 - (c) where a parking meter, pre-paid ticket machine, or such other device as has been installed for the acceptance of the payment of parking fees has been activated, and the prescribed fees paid, by the use of a valid credit card, debit card, or smart card, in those lots where such devices accepting payment by such methods have been approved by the Department of Public Works and Traffic; or,
 - (d) where there is displayed in or upon the vehicle and in clear view from the exterior of the vehicle, a Disabled Person Parking Permit, or such other identifying marker, issued by the Minister of Transportation, clearly identifying the vehicle as being operated by, or in the service of, or on behalf of, a physically disabled person.
- (3) No person shall in any car park;
- (a) drive, park or have any vehicle other than an ordinary passenger automobile, a motor cycle, or a commercial motor vehicle of a registered gross weight of not more than 2.5 metric tonnes, save and except that this prohibition shall not apply to a snow plough, bus or other vehicle which is present by authority of the Department of Public Works and Traffic;
 - (b) park or stop any vehicle in such a manner as to interfere with the lawful use of any parking space or any other portion of the car park;
 - (c) park any vehicle except at a designated parking space and in conformity with signs and markings;
 - (d) park or stop any vehicle in any parking space or parking area which is temporarily closed;
 - (e) throw or deposit or cause to be thrown or deposited any glass, nails, tacks or scraps of metal, or any rubbish, refuse, waste or litter;

- (f) drive any vehicle at a rate of speed greater than is consistent with the safety of persons and property in the vicinity, having regard to all the circumstances, or in any event at a rate of speed greater than ten kilometres per hour;
 - (g) drive any vehicle without due care or attention or without reasonable consideration for other persons in the car park;
 - (h) damage, deface or interfere with any equipment or other property of the municipality;
 - (i) loiter, or in any way interfere with the lawful use of the car park by any other person;
 - (j) fail to pay the parking fees when due;
 - (k) leave any vehicle parked on any car park between the hours of 3:00 a.m. and 6:00 a.m., save and except that this provision shall not apply to a vehicle in or upon which a valid permit is displayed or which has been otherwise authorized;
 - (l) park any vehicle in any area of any car park where signs have been erected prohibiting parking;
 - (m) stop any vehicle in any area of any car park where signs have been erected prohibiting stopping;
 - (n) park or stop any vehicle in any parking space or area in any car park where signs have been erected reserving such space or area for use by specific vehicles or persons;
 - (o) park or stop any vehicle in any parking space designated as a reserved Disabled Person parking space;
 - (p) play or take part in any game or sport, or ride in or upon any skateboard, coaster, skis, toy vehicle, roller-skates or similar devices;
 - (q) place, erect, install, maintain, display, or store, or cause to be placed, erected, installed, maintained, displayed, or stored, any sign, device, apparatus, object or thing without the authorization of the Commissioner;
 - (r) wash down or, except in an emergency, perform any automotive services or repairs on a vehicle; or,
 - (s) park or allow any vehicle to stand unattended, unless it is secured in such a manner as to prevent its operation by any person not authorized by the owner of the vehicle;
- (4) Without limiting the generality of paragraph (e) of sub-section 3, no person shall injure, incumber, obstruct or foul, any car park, or any area or space within or upon a car park by placing, storing, discarding, or leaving in any manner, or by causing to be placed, stored, discarded or left in any manner, any material, item, debris, marking, substance or thing in or upon the car park, or in or upon any area or space within the car park.
- (5) Every person in any car park shall comply with the instructions of an attendant in charge of the car park, a by-law enforcement officer or a police constable.

VOLUNTARY PAYMENT OF PENALTIES OUT OF COURT - TAGS

8. (1) Upon the alleged contravention of any provision of this By-law respecting parking or stopping, the police constable or parking control officer observing the same may attach to the vehicle a serially numbered parking tag bearing the licence number and a general description of the vehicle and specifying the alleged contravention.
- (2) Any person may, upon presentation of the tag to the City Treasurer, within seven days of the date of the tag, pay a penalty out of court in respect to the offense in accordance with sub-sections (4), (5), (6), (7), (8), (9) and (10).
- (3) Where a tag is not paid within seven days in accordance with sub-section (2), sub-section (1) of Section 12 shall apply.
- (4) Where any vehicle is left parked in any metered parking space for a period of time during which no paid-for and no unexpired time is indicated on the meter, the penalty for such parking;
 - (a) during the first such period or portion thereof that would otherwise be permitted if paid-for and unexpired time were indicated on the meter shall be eight dollars; and,
 - (b) during each successive period or a portion thereof that would otherwise be permitted if paid-for and unexpired time were indicated on the meter, shall be eight dollars and each succeeding period shall be a separate offense.
- (5) Where any vehicle is left parked in contravention of any of the provisions of paragraphs (a) of sub-section (1) of Section 7, the penalty for such contravention shall be eight dollars.
- (6) Where any vehicle is parked in any area on any car park where signs have been erected prohibiting parking, the penalty for such parking shall be twenty dollars.
- (7) Where any vehicle is stopped in any area on any car park where signs have been erected prohibiting stopping, the penalty for such stopping shall be fifty dollars.
- (8) Where any vehicle is left parked in contravention of any of the provisions of paragraphs (b), (c) or (e) of sub-section 1 of Section 7, the penalty shall be eight dollars; and,
 - (a) where any vehicle is left parked in contravention of the provisions of paragraph (b) of sub-section (1) of Section 7, for a period of time in excess of five hours, the leaving of such vehicle so parked is a separate offense upon the elapse of each subsequent five hour period; and,
 - (b) where any vehicle is left parked in contravention of the provisions of paragraph (c) of sub-section (1) of Section 7, for a period of time in excess of three hours, the leaving of such vehicle so parked is a separate offense upon the elapse of each subsequent three hour period.
 - (c) where any vehicle is left parked in contravention of the provisions of paragraph (e) of sub-section (1) of Section 7, for a period of time in excess of the time limit indicated on the adjoining meter or such other meters as are located within the subject car park, the leaving of such vehicle so parked is a separate offense upon the elapse of each subsequent indicated time limit.

- (9) Where a vehicle is left parked in contravention of paragraphs (a), (b), (c), (d), (k) or (n), of sub-section 3 of Section 7, the penalty shall be twenty dollars.
- (10) Where a vehicle is left parked in contravention of paragraph (o) of sub-section 3 of Section 7, the penalty shall be one hundred dollars.

AUTHORITY TO REMOVE, DISPOSE AND RECOVER COSTS

- 9. (1) Upon the discovery of any vehicle parked or left in contravention of this By-law, a police constable, or by-law enforcement officer may cause the vehicle to be moved or taken to and placed or stored in a suitable place, and all costs and charges for the removal and storage of the vehicle are a lien upon the vehicle under the provisions of the Repair and Storage Liens Act, R.S.O. 1990, c. R.25, as amended, or such successor legislation as may from time to time be enacted or come into force and effect.
- (2) Upon the discovery of any sign, device, apparatus, object or thing placed, erected, installed, maintained, displayed, stored, or otherwise left in or upon any car park, without the authorization of the Commissioner, a police constable or municipal by-law enforcement officer may, without notice, cause the sign, device, apparatus or thing to be removed from the car park and may cause it to be taken and destroyed or otherwise disposed of and all costs and charges for its removal and disposal, however incurred, may, at the discretion of the Commissioner, be recovered from the owner thereof by action.
- (3) Upon the discovery of any glass, nails, tacks or scraps of metal, or any rubbish, refuse, waste litter, marking, material, item, debris, substance or thing in or upon a car park, or in or upon any area or space within a car park, an employee of the Department of Public Works and Traffic may, without notice, cause such glass, nails, tacks or scraps of metal, rubbish, refuse, waste, litter, marking, object, material, item, debris, substance or thing to be removed from the car park and may cause it to be taken and destroyed or otherwise disposed of, and all costs and charges for its removal and disposal, however incurred, may, at the discretion of the Commissioner, be recovered from the owner thereof by action.
- (4) The City is under no obligation to store or in any manner save, preserve or maintain, any sign, device, apparatus, object, material, substance, item or any thing that is not a vehicle, that has been removed or taken from any car park.

DUTY OF TREASURER

- 10. It shall be the duty of the City Treasurer to furnish the City Auditors with duplicates of all parking tags, particulars of the disposition of all payments made, and all other necessary particulars.

COLLECTION FROM PARKING METERS

- 11. The collection of coins from parking meters in metered parking lots shall be the responsibility of the Department of Public Works and Traffic.

OFFENCE

12. (1) The owner of a vehicle that is parked, stopped or left standing in contravention of this By-law is guilty of an offense and is liable to such penalty as is specified in Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.8., unless the owner proves to the satisfaction of the Court that at the time of the offence the vehicle was in the possession of another person without the owner's expressed or implied consent.
- (2) Any person who violates any other provision of this By-law is guilty of an offense and is liable to such penalty as is specified in Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.8.

ENACTMENT

13. The short title of this By-law shall be the "Municipal Parking Facilities By-law".
14. This By-law shall come into force and effect on the day of its passing and enactment.

PASSED this _____ day of _____, A.D. 1998

City Clerk

Mayor

SCHEDULE 1

<u>LOT #</u>	<u>LOCATION</u>	<u>HOURLY FEE</u>	<u>MINIMUM FEE</u>	<u>MAXIMUM FEE</u>	<u>MONTHLY FEE</u>
1	76 John Street North	\$ 1.00	\$ 0.50	\$ 2.00	\$ 40.00
2A	11 Britannia Street	\$ 0.80	\$ 0.25	NONE	\$ 31.50
2B	115 Campbell Avenue	\$ 0.80	\$ 0.25	NONE	\$ 31.50
2C	116 Campbell Avenue	\$ 0.80	\$ 0.25	NONE	\$ 31.50
4	70 Hope Avenue	\$ 0.50	\$ 0.25	NONE	\$ 31.50
5	140 King William Street	\$ 1.60	\$ 0.50	\$ 2.00	\$ 40.00
7	171 Main Street	\$ 1.10	\$ 0.50	NONE	\$ 50.00
8	293-297 King Street	\$ 1.10	\$ 0.55	\$ 4.00	\$ 50.00
	12 Jarvis Street	\$ 1.10	\$ 0.25	NONE	\$ 50.00
9A	583 Upper Wellington Street	\$ 0.50	\$ 0.25	NONE	\$ 31.50
9B	584 Upper Wellington Street	\$ 0.50	\$ 0.25	NONE	\$ 31.50
11	1457 Main Street	\$ 0.50	\$ 0.25	NONE	N/A
12A	153 Sherman Avenue	\$ 0.55	\$ 0.55	NONE	\$ 31.50
12C	90 Kinrade	\$ 0.50	\$ 0.25	NONE	\$ 31.50
13	76 James Street North	\$ 1.10	\$ 0.55	NONE	N/A
16	53 Balmoral Avenue	\$ 0.80	\$ 0.30	\$ 3.20	\$ 31.50
17	1358 Main Street East	\$ 0.50	\$ 0.25	NONE	N/A
19	Main at Ottawa	\$ 0.50	\$ 0.25	NONE	\$ 31.50
20	552 Upper James Street	\$ 0.50	\$ 0.25	NONE	\$ 31.50
21	1375 Main Street East	\$ 0.50	\$ 0.25	NONE	\$ 31.50
22	451 King Street West	\$ 0.50	\$ 0.25	NONE	\$ 31.50
29	Mary at Wilson	N/A	N/A	N/A	\$ 25.00
32	East Avenue	\$ 0.50	\$ 0.50	\$ 2.00	\$ 31.50
33	15 Brucedale Avenue	\$ 0.60	\$ 0.25	NONE	\$ 31.50
34	1503 Main Street	\$ 0.50	\$ 0.25	NONE	\$ 31.50
35	8 East 21st Street	\$ 0.50	\$ 0.25	NONE	\$ 31.50
36	22 Mulberry Street	\$ 0.80	\$ 0.60	\$ 3.20	\$ 43.70
37	80 Main Street West	\$ 2.50	\$ 1.25	\$ 7.50	\$ 96.36
	(Convention Centre) *Evening Rate	\$ 4.25	N/A	N/A	N/A
39B	299 Balmoral Avenue	\$ 0.50	\$ 0.25	NONE	\$ 31.50
39C	302 Balmoral Avenue	\$ 0.50	\$ 0.25	NONE	\$ 31.50
39D	309 Grosvenor Avenue	\$ 0.50	\$ 0.25	NONE	\$ 31.50
40	71 Main Street W. (City Hall)	\$ 1.10	\$ 0.30	NONE	\$ 45.30
42	625 Wilson Street	\$ 0.55	\$ 0.55	\$ 2.20	\$ 31.50
43	36 Newlands/268 Kenilworth	\$ 0.50	\$ 0.25	NONE	\$ 31.50
44	346 Barton Street	\$ 0.50	\$ 0.25	NONE	\$ 31.50
45	540 Barton Street East	\$ 0.50	\$ 0.25	NONE	\$ 31.50
46	14 Cheever/11 William	\$ 0.50	\$ 0.25	NONE	\$ 31.50
47	735 Barton Street East	\$ 0.50	\$ 0.50	\$ 2.00	\$ 31.50
49	167 Barton Street East	\$ 0.50	\$ 0.25	NONE	\$ 31.50
50	Cannon at Birch	N/A	N/A	N/A	\$ 18.55
56	30 Emerald Street South	\$ 0.80	\$ 0.30	NONE	\$ 31.50
62	14 Vine Street	\$ 1.00	\$ 1.00	\$ 2.50	\$ 51.30
64	168 Sherman Avenue North	\$ 0.50	\$ 0.25	NONE	\$ 31.50
66	106 Bay Street North	\$ 3.00	\$ 3.00	\$ 3.00	\$ 30.00
67	80 Queen Street	\$ 0.80	\$ 0.80	\$ 2.25	\$ 47.00
68	28 York Boulevard	\$ 2.50	\$ 1.25	\$ 5.00	\$ 69.49
69	12 York Boulevard (Parkette)	\$ 1.10	\$ 0.55	NONE	N/A
70	207-211 Hughson Street N.	\$ 0.80	\$ 0.60	\$ 3.20	\$ 31.50
71	77 Mary Street North	N/A	N/A	N/A	\$ 25.00
72	11-13 East Avenue	\$ 0.55	\$ 0.55	NONE	\$ 31.50
73	253 King William Street	\$ 0.80	\$ 0.55	NONE	\$ 40.00
74	263 King Street West	\$ 0.80	\$ 0.80	NONE	\$ 50.00
76	75 Catharine Street	\$ 0.80	\$ 0.80	\$ 2.50	\$ 40.00
78	190 King William Street	\$ 1.00	\$ 0.25	NONE	\$ 31.50
79	402 Barton Street East	\$ 0.60	\$ 0.25	NONE	\$ 31.50
80	22 Bay St.S./191 King St.W.	\$ 1.50	\$ 0.75	\$ 4.00	\$ 69.49
81	11 Ferguson Avenue North	\$ 1.00	\$ 0.25	NONE	\$ 50.80
82	294 Victoria Avenue North	\$ 2.00	\$ 0.50	\$ 6.00	N/A
	*Evening Flatt Rate (6 am - 6 pm)	\$ 2.00	N/A	N/A	N/A
	*Sat & Sun Flatt Rate	\$ 3.00	N/A	N/A	N/A
84	East side Kenilworth, North of Roxborough	\$ 0.55	\$ 0.55	\$ 2.20	\$ 31.50

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 25 (Parking Time Limits)** of said By-law is hereby amended by deleting therefrom the following item, namely:-

"Beach North Northcote to 120 feet west 1 hr 7 am - 6 pm Mon - Fri"

2. That **Schedule 34 (Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Somerset South commencing 334 feet west of Barnesdale Anytime
to a point 18 feet westerly

Paul South commencing 36 feet west of Southview Anytime
to a point 22 feet westerly

and by deleting therefrom the following items, namely:-

"Gertrude North commencing at a point 36 feet west of the Anytime
extended west curb line of Rowanwood and
extending to a point 18 feet westerly therefrom

Francis North commencing 68 feet west of Douglas and Anytime
extending 20 feet westerly therefrom

Francis South commencing 145 feet west of Douglas and Anytime
extending 20 feet westerly therefrom

Douglas East Keith to T.H.&B. Tracks Anytime"

3. That Schedule 26 (No Parking Areas) of said By-law be amended by adding thereto the following items, namely:-

"Sanatorium	South	Garth to 110 feet easterly therefrom	Anytime
Caroga	East	Bonaventure to southerly end	Anytime
Corsica	East	Bonaparte Way to the south property line of No. 10 Corsica	Anytime
Caroline	West	commencing 24 feet south of Windsor to a point 17 feet southerly therefrom	7 am to 4 pm Monday - Friday"

and by deleting therefrom the following item, namely:-

"Caroga	West	Bonaventure to southerly end	Anytime"
---------	------	------------------------------	----------

4. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

PASSED this

day of

1998.

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Blanshard	westbound	Poulette
Falconridge	eastbound	Upper Paradise
Fieldway	westbound	Cardinal
Avalon	westbound	Arthur
Uplands	southbound	Norwood
Cellini	northbound	Bolzano
Townmansion	eastbound	Upper Kenilworth
Racalmuto	eastbound	Upper Kenilworth"

and by deleting therefrom the following item, namely:-

"Rexford	eastbound and westbound	Alconbury"
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2. That **Schedule 23 (Hamilton Street Railway Bus Stops)** of said By-law is hereby amended by adding to the Outbound column thereof the following item, namely:-

"Garth, 116 feet south of the centre line of Rymal (F/S)"

3. That **Schedule 29 (No Stopping Areas)** of said By-law be amended by deleting therefrom the following item, namely:-

"Harrison North Harmony to 109 feet easterly Anytime"

4. That **Schedule 31 (School Bus Loading Zone)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Columbia West 342 feet 60 feet south of Bendamere 7:00 am - 6:00 pm
Monday to Saturday"

and by deleting therefrom the following items, namely:-

"Columbia	West	188 feet	60 feet south of Bendamere	7:00 am - 6:00 pm Monday to Saturday
-----------	------	----------	----------------------------	---

Albright	North	25 feet	commencing 379 feet west of the west curb line of Mt. Albion	7:00 am - 6:00 pm Monday to Saturday"
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5. That **Schedule 35 (Wheelchair Loading Zones)** of said By-law be amended by adding thereto the following item, namely:-

"Albright	North	25 feet	379 feet west of the west curb line of Mt. Albion	7:00 am - 6:00 pm Monday to Saturday"
-----------	-------	---------	--	--

6. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

PASSED this _____ day of _____ 1998.

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That By-law 89-72, as amended, is hereby further amended by adding Schedule 38 thereto, which shall describe such highways or parts of highways as are designated by Council as highways upon which motor vehicles, as a class of vehicle, are prohibited, or restricted to a single direction of travel and only upon the right hand side thereof. The aforesaid Schedule shall describe:
 - (a) In column 1, the name of the highway or part highway; and,
 - (b) In column 2, the point or location at which the regulation commences and the point or location at which the regulation concludes; and,
 - (c) In column 3, the direction or directions of travel which are prohibited, which shall correspond to the direction or directions in which the highway is laid out.
2. That Part 1 of said By-law is hereby further amended by deleting therefrom Section 2a, in its entirety, and inserting in its place the following section:-

"2a The schedules attached to this By-law, numbers 1 to 38 inclusive, are included in and shall be considered part of this By-law."
3. That Part 2 of said By-law is hereby amended by adding thereto the following section, which shall be entitled "Highways Restricted By Class Of Vehicle":-
 - "14. No person shall operate a motor vehicle on a highway or a part of a highway indicated in column 1, between such points or locations as are indicated in column 2 and in the direction or directions of travel as are indicated in column 3 of Schedule 38, provided suitable signs are erected and maintained and save and except that this prohibition shall not apply to any vehicle operated by:
 - (a) the Hamilton-Wentworth Regional Police;

- (b) the Hamilton Fire Department;
- (c) a licensed ambulance service; or,
- (d) any vehicle, the operator of which is obeying the directions of a police officer;

in response to an emergency affecting the safety of the public."

4. That Schedule 38 (Highways Restricted By Class of Vehicle) of said By-law shall therein describe the following highway and prohibited direction of travel, namely:-

"Ferguson King William to King Southbound"

5. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
6. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this day of 1998.

CITY CLERK

MAYOR

BY-LAW NO. 98 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 14th DAY OF APRIL, 1998.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 14th day of April 1998

CITY CLERK

MAYOR

1998 April 24



The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1998 April 28
7:30 o'clock p.m.
Council Chambers, City Hall**

A G E N D A

J. J. Schatz, City Clerk

1. National Anthem.

2. Opening Prayer.

3. Presentations:

(a) The Salvation Army to present their Red Shield Flag to Mayor Morrow.

(b) Certificate of Recognition: Jack Harvey

(c) Plaques

RED PETUNIA SPONSORS
Frank Butty
Stan Genno
Lynn Longwill
Don Dussault
Bruce Dykstra
Jim Vanderkooy
Denise Dickie
Cor Vanderkruk

(d) Certificates of Recognition
to former Committee Members

Gordon Birk
Peter Burns
Michael Cuberovic
Wanda Dzierzbicki
Michaelene Galan
Lorne Kenyon
Stephen Kostyshyn
Jasper Kujavsky
Bruce Law
Nancie Mleczko
Alan Stacey
John Vinken
Berta Walton
Gerri Yachetti

URBAN MUNICIPAL

APR 27 1998

GOVERNMENT DOCUMENTS

4. ***Adoption of the minutes of the meetings held 1998 April 9 and April 14 .***
5. ***Correspondence.***
6. ***Reports of the Standing Committee:***
 - (c) *Planning and Development Committee*
 - (d) *Finance and Administration Committee*
 - (e) *Licensing Committe*
 - (f) *Mayor's Report*
7. ***Notices of Motion for next meeting.***
8. ***Question Period.***
9. ***Adjournment.***

MINUTES

Minutes of Committee of the Whole\City Council
Thursday, 1998 April 9
11:00 o'clock a.m.
Room 233, City Hall

The Council met:

Present: Mayor R. Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson,
Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico,
O'Sullivan.

Absent: Alderman G. Copps - Civic Business

Mayor Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee, and the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining,
Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico,
O'Sullivan. -16.

NAYS: -0.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - TENTH REPORT

205 Cannon Street East
231 Gage Avenue North

Rule No. 9 Re: 231 Gage Avenue North

It was moved by Alderman Wilson and seconded by Alderman Charters that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a motion respecting the awarding of a tender for the disposal of the balance of combustible contents removed from 231 Gage Avenue North by the Hamilton Fire Department. **CARRIED.**

* * * * *

Section 2 Re: 231 Gage Avenue North

It was moved by Alderman Wilson and seconded by Alderman Charters that the following be added as sub-section (b) of Section 2 of the Tenth Report for 1998 of the Finance and Administration Committee as follows:

- (b) That, in accordance with tender C8-298, a purchase order be issued to Team - 1 Environmental Services Inc., as the lowest bidder, in an amount not to exceed \$72,000 (the exact cost is dependant on the quantity of materials removed), representing the cost of disposal of the balance of the combustible contents removed from 231 Gage Avenue North by the Hamilton Fire Department. **CARRIED.**

COMMITTEE OF THE WHOLE - EIGHTH REPORT

Tax Incremental Financing

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee, and the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 3:30 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. MORROW

J. J. Schatz
1998 April 9
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **EIGHTH** Report for 1998 and respectfully recommends:

1. That the C.A.O. and Treasurer meet with the Regional C.A.O., Treasurer and Director of Economic Development and report back with a proposal/request to be presented to the Provincial Government, to amend the Municipal Act with respect to tax incremental financing for the downtown area.

RESPECTFULLY SUBMITTED

**MAYOR ROBERT M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE**

J. J. Schatz, Secretary
1998 April 9

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TENTH** Report for 1998 and respectfully recommends:

1. (a) That the Corporation of the City of Hamilton be authorized to secure the vacant building located at 205 Cannon Street East as authorized by an Ontario Court (Provincial Division) Order issued on 1998 March 19; and,

(b) That the upset limit of \$8,000 as the cost to secure the building located at 205 Cannon Street East be charged to a new account CH 57309 48001 Structural Inspections of the Fire Department's Budget, and funded by any Fire Department surplus in 1998; and,

(c) That to the extent there is not a surplus within the Fire Department Budget, the Treasurer report back as to a method of financing of the above noted costs.
2. (a) That, in accordance with Request for Proposal C8-198, approval be given to sell to Marco Coccia as the highest bidder for approximately 72 skids of posters, for a total price of \$2,001, representing a portion of the combustible materials removed from 231 Gage Avenue North by the Hamilton Fire Department.

(b) That, in accordance with tender C8-298, a purchase order be issued to Team - 1 Environmental Services Inc., as the lowest bidder, in an amount not to exceed \$72,000 (the exact cost is dependant on the quantity of materials removed), representing the cost of disposal of the balance of the combustible contents removed from 231 Gage Avenue North by the Hamilton Fire Department.

ADDED.

3. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-024 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1998 April 9**

1998 April 14

Minutes of Hamilton City Council
Tuesday, 1998 April 14
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps,
Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan.

Mayor R. Morrow called the meeting to order.

* * * * *

The National Anthem was sung.

* * * * *

Reverend Bob Sim, New Westminster Presbyterian Church led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow recognized Cathedral High School Senior Boys' Basketball Team who won the OFSAA Gold Medal on March 13, 1998.

Mayor R. M. Morrow presented a Certificate of Recognition to Tony Ieluzzi.

Mayor R. M. Morrow presented a Certificate of Recognition to Adam Stelmaszynski.

ADOPTION OF MINUTES

The minutes of the meeting held March 31, 1998 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1998 April 2 from Valery Construction Company Limited c/o Ted Valeri, 2140 King Street East, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District Modified for Block "1", from "AA" (Agricultural) District to "D" (One and Two Family Townhouses) District Modified for Block "2", from "AA" (Agricultural) District to "RT-30" (Street Townhouses) District for Block "3" and from "AA" Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District Modified for Block "4" for lands located at 695 West 5th Street, Hamilton and for 10 lots for small lot single family dwellings (Lots 2-10 inclusive), 10 lots for semi-detached dwellings (Lots 1 and 11-19 inclusive), 4 blocks for street townhouses (Blocks 20-23, inclusive), 1 block for open space (Block 24) and to establish a street (Street "A").

Received.

2. Letter dated 1998 April 8 from J. J. Schatz, City Clerk advising of an objection to By-law No. 98-091 respecting property at 1126 Garth Street, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Committee of the Whole, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SIXTH REPORT

PARKS AND RECREATION COMMITTEE - FIFTH REPORT

Section 1 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. - 15.

NAYS: Aldermen Copps, Jackson. -2.

CARRIED.

* * * * *

Section 2 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 3 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 4 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - SEVENTH REPORT

Section 7 (i) (j) and (k) Re: Bills Respecting 135 Fennell Avenue West

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 7 (i) (j) and (k) of the Seventh Report for 1998 of the Planning and Development Committee be referred back.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - ELEVENTH REPORT

Section 1 Re: Purchase Order - G. C. Duke Equipment Ltd.

It was moved by Alderman Anderson and seconded by Alderman Kelly that Section 1 of the Eleventh Report for 1998 of the Finance and Administration Committee be referred back.

CARRIED.

* * * * *

Section 2 Re: Canadian Auto Industry resolution

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Copps, Wilson, Eisenberger, Collins, Jackson, Kelly, O'Sullivan. -13.

NAYS: Aldermen Morelli, Charters, Anderson, D'Amico. -4.

CARRIED.

* * * * *

Section 7 Re: 177 Sherman Avenue North be declared surplus

It was moved by Alderman Haining and seconded by Alderman Charters that Section 7 of the Eleventh Report for 1998 of the Finance and Administration Committee be referred back. **CARRIED.**

* * * * *

Section 8 Re: Reorganization - City Clerk's Department

It was moved by Alderman Copps and seconded by Alderman Kiss that Section 8 of the Eleventh Report for 1998 of the Finance and Administration Committee be referred back. **LOST.**

* * * * *

Section 9(c) Re: Reorganization - Building Department - Licence Clerk

It was moved by Alderman Jackson and seconded by Alderman Wilson that sub-section (c) of Section 9 of the Eleventh Report for 1998 of the Finance and Administration Committee be amended to delete the words "effective 1998 September 15" in the third line. **CARRIED.**

<p>COMMITTEE OF THE WHOLE - NINTH REPORT</p>

It was moved by Alderman Caplan and seconded by Alderman Eisenberger that Section 1(b) of the NINTH Report of the Committee of the Whole be amended by adding Sub-section (iv) as follows:

"That the Page 2 of the Agreement be amended by adding the words "exclusive of weekends" in Section 2 (a), following the words "7:00 a.m. and 5:00 p.m." **CARRIED.**

Recorded vote on section 1 as amended.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Aldermen Kiss, Copps, Eisenberger, Collins, Anderson. -5. **CARRIED.**

NOTICE OF MOTION

It was moved by Alderman Jackson and seconded by Alderman Charters that:

WHEREAS; over 179,000 persons have died in traffic collisions in Canada since 1950; and

WHEREAS; it is estimated that 85% of motor vehicle collisions are caused by driver error; and

WHEREAS; speeding and other moving violations, particularly intersection related violations have been identified as factors in many of these preventable collisions; and

WHEREAS; the reduction of speeding and intersection related moving violations could contribute significantly to the reduction of motor vehicle collisions and the severity of collisions in Ontario; and

WHEREAS; the use of electronic enforcement tools such as red light cameras and photo radar have been successfully used in many jurisdictions; and

WHEREAS; the use of electronic enforcement tools such as red light cameras and photo radar in Ontario could reduce the number of needless deaths and injuries occurring as a result of collisions on our roadways and reduce the associated costs to society;

THEREFORE BE IT RESOLVED, that Hamilton City Council supports the use of electronic enforcement tools and urges the Provincial Government of Ontario to facilitate the acquisition and use of these tools by police in Ontario in an effort to increase traffic safety, specifically requesting that Hamilton be considered as a pilot project for the use of this equipment by the Hamilton-Wentworth Police Services.

Re: Notice of Motion - Amendment to

It was moved by Alderman Jackson and seconded by Alderman Charters that the Motion respecting Photo Radar/Intersection Cameras Electronic Enforcement Tools be amended to add the following:

"CIRCULATE THIS MOTION to the Hamilton-Wentworth area M.P.P.'s, and petition the Premier of Ontario, Mike Harris, and the Solicitor General, Bob Runciman."

CARRIED.

Motion as amended:

WHEREAS; over 179,000 persons have died in traffic collisions in Canada since 1950; and

WHEREAS; it is estimated that 85% of motor vehicle collisions are caused by driver error; and

WHEREAS; speeding and other moving violations, particularly intersection related violations have been identified as factors in many of these preventable collisions; and

WHEREAS; the reduction of speeding and intersection related moving violations could contribute significantly to the reduction of motor vehicle collisions and the severity of collisions in Ontario; and

WHEREAS; the use of electronic enforcement tools such as red light cameras and photo radar have been successfully used in many jurisdictions; and

WHEREAS; the use of electronic enforcement tools such as red light cameras and photo radar in Ontario could reduce the number of needless deaths and injuries occurring as a result of collisions on our roadways and reduce the associated costs to society;

THEREFORE BE IT RESOLVED, that Hamilton City Council supports the use of electronic enforcement tools and urges the Provincial Government of Ontario to facilitate the acquisition and use of these tools by police in Ontario in an effort to increase traffic safety, specifically requesting that Hamilton be considered as a pilot project for the use of this equipment by the Hamilton-Wentworth Police Services; and

CIRCULATE THIS MOTION to the Hamilton-Wentworth area M.P.P.'s, and petition the Premier of Ontario, Mike Harris, and the Solicitor General, Bob Runciman. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

1998 April 14

* * * * *

City Council then adjourned at 9:35 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1998 April 14
JJS/dg

C O R R E S P O N D E N C E

Correspondence:

1. Letter dated 1998 April 15 from W. A. Thomas, General Manager, Hydro-Electric Commission of the City of Hamilton, Re: Change in Commission Chair Person.

Recommendation: Be Received.

2. Application dated 1998 April 8 from Daniel Ford, 103 Victoria Avenue South, Hamilton, Ontario, for a change in zoning from "G-3" (Public Parking Lots) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District for 27 Albert Street, Hamilton, Ontario.

Recommendation: Be Received.

3. Application dated 1998 April 2 from H.G.H. Developments Ltd., 8 Main Street East, Suite 202, Hamilton, Ontario, for a change in zoning from "JJ" (Restricted Light Industrial) District to "HH" (Restricted Community Shopping and Commercial etc.) District for 237-247 Centennial Parkway North, Hamilton, Ontario.

Recommendation: Be Received.

4. Application dated 1998 April 2 from Mr. J. Zaborsky, c/o Bestco Construction Corp., 62 Earl Street, Hamilton, Ontario, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located at the south-west limits of Annabelle Street, Hamilton, Ontario, and Subdivision Application 25T-89002 (Annabelle Place) for 8 lots for single family dwellings.

Recommendation: Be Received.

W. A. THOMAS, B. Sc., P. ENG.,
GENERAL MANAGER
TELEPHONE (905) 522-6611
FAX (905) 522-6570



M. G. KWI
A.G.M. /
D. R. MAR.
A.G.M. C
D. D. CUM
SECRET.

HAMILTON HYDRO-ELECTRIC SYSTEM

55 JOHN ST N, PO BOX 2249 STN LCD1, HAMILTON ON L8N 3E4

April 15th, 1998

Corporation of the City of Hamilton
City Hall
71 Main St. W.
Hamilton, Ontario
L8N 3T4

ATTN: Mr. J. J. Schatz, City Clerk

Dear Sir:

RE: Change in Commission Chair Person

At a recent meeting of the Hydro Electric Commission, Ms Ollie Thomson was elected to the position of Chair, replacing Mayor Bob Morrow who had been the Interim Chair.

The composition of the Commission is now as follows:

Ms Ollie Thomson	- Chair
Mayor Bob Morrow	- Vice-Chair
Mr. Don Jervis	- Commissioner

Yours truly

W. A. Thomas, P.Eng.
General Manager

WAT*Ik

OFFICE OF THE CITY CLERK

APR 20 1998

REC. BY *JS* DATE
REF'D. TO DATE
REF'D. TO DATE
REF'D. TO DATE

ACTION: *For C.C.*
Corr.
C.C. C.T.

REPORTS

**PLANNING & DEVELOPMENT
COMMITTEE**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTH** Report for 1998 and respectfully recommends:

1. (a) That approval be given to Official Plan Amendment No. 149 to establish a Special Policy Area to permit a garden centre and related uses, and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth; and,
- (b) That approval be given to amended Zoning Application 98-06, Country Depot, 1023942 Ontario Inc., owner, for a modification to the established "M-13" (Prestige Industrial) District regulations, to permit retail/wholesale for farm and home supplies and a lawn and garden centre with outside storage, for property located at 10 Dartnall Road, as shown on the attached plan marked as Appendix "A", on the following basis:
 - (i) That the "M-13" (Prestige Industrial) District regulations as contained in Section 17E of By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (a) That notwithstanding Section 17E(1)(c) of Zoning By-law No. 6593, the following additional uses shall be permitted:
 1. Retail/Wholesale of farm and home supplies; and,
 2. Lawn and Garden Centre, excluding open stockpiling of fertilizers, soil and soil conditioners; and,
 - (b) The total area used for storage inside shall not exceed 48.0% of a building or structures gross floor area; and,
 - (c) That notwithstanding Section 17E(2)(b)(1)(ii) of By-law No. 6593, the chemical storage shed, existing on the day of passing of this By-law, shall provide a southerly side yard of 4.0 m minimum; and,

- (d) That notwithstanding Section 17E(2)(h)(1) of By-law No. 6593, outside storage shall be permitted in the non-required front yard, provided that it is screened from external view by a chain link fence not less than 1.5 m in height and not more than 3.0 m in height; and,
- (e) That notwithstanding Section 17E(2)(h)(2) of By-law No. 6593, every side yard or rear yard that is used for outside storage of any material or any equipment shall be screened from external view by a chain link fence not less than 1.5 m in height and not more than 3.0 m in height, and a landscaped area with a planting strip having a width of not less than 1.2 m along the side and rear lot lines adjacent to the outside storage area shall be provided and maintained; and,
- (f) That notwithstanding Section 17E(2)(h)(4) of By-law No. 6593, the total area used for storage outside of a building or structure shall not exceed 30% of the lot area subject to the following requirements that:
 - 1. Not more than two percent (2.0%) of the total outside storage area is not required to be screened from external view; and,
 - 2. No stockpile of retail/wholesale farm and home, lawn and garden supplies located in the outside storage area shall exceed a height of 4.0 metres; and,
- (g) Section 17E(2)(i) of By-law No. 6593 shall not apply; and,
- (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-1403, and that the subject lands on Zoning District Maps E59D be notated S-1403; and,
- (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E59D; and,
- (iv) That the proposed modification in zoning will be in conformity with the City of Hamilton Official Plan upon approval of Official Plan Amendment No. 149 by the Regional Municipality of Hamilton-Wentworth.

2.
 - (a) That street name "Dulgaren Street" be changed to "Dalia Avenue" for that portion of Dulgaren Street located between Upper Sherman Avenue and the future extension of Eaglewood Drive, as shown on the attached map marked as Appendix "B"; and,
 - (b) That the City Solicitor be directed to prepare a By-law for enactment by City Council to change the street name from "Dulgaren Street" to "Dalia Avenue" in accordance with the provisions of the Municipal Act; and,
 - (c) That the City Solicitor be directed to register the By-law and that duplicate copies of the By-law be sent to the Building Department, Department of Public Works and Traffic, Planning Department, Regional Environment Department and Regional Transportation Department.
3.
 - (a) That approval be given to Zoning Application ZAC-98-05, Luft Enterprises Inc., for a further modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Block "1") and a change in zoning from "H" (Community Shopping and Commercial, etc.) District modified to "G-3" (Public Parking Lots) District (Block "2"), modified, to permit the conversion of the first floor of the existing building from commercial use to seven (7) residential units (Block "1"), and a parking lot (Block "2") to be used in conjunction with lands at 400 York Boulevard, for lands located at 400 York Boulevard (Block "1") and 16 Magill Street (Block "2"), as shown on the attached map marked as Appendix "C", on the following basis:
 - (i) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed zoning districts. The holding provision will prohibit the development of the subject lands (Blocks "1" & "2") until such time as a plan of condominium has been registered, and the lands known as 400 York Boulevard and 16 Magill Street have been included in the description and the declaration for the condominium to the satisfaction of the Director of the Planning and Development and the City Solicitor; and,

City Council may remove the 'H' symbol, and thereby give effect to the "E" District modified provisions and "G-3" District modified provisions as stipulated in this By-law, by enactment of an amending By-law once this condition is fulfilled; and,
 - (ii) That Block "2" be rezoned from "H" (Community Shopping and Commercial, etc.) District modified to "G-3" (Public Parking Lots) District; and,

- (iii) That the "G-3" (Public Parking Lots) District provisions, as contained in Section 13C of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variances as special requirements:
 - (a) That the subject lands be used only in conjunction with 370 York Boulevard and 400 York Boulevard; and,
 - (b) Notwithstanding Section 18A(1)(f), a 5.3 m minimum required manoeuvring space shall be provided and maintained for each parking space; and,
- (iv) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, as contained in Section 11 of Zoning By-law No. 6593 as amended By-law 87-78, applicable to Block "1", be further modified to include the following variances as special requirements:
 - (a) Notwithstanding clause 1(d) of By-law 87-78, a maximum gross floor area of 2,991.0 m² (32,196.0 S.F.) and thirty-three (33) units shall be permitted on the subject lands; and,
 - (b) Notwithstanding clause 1(e) of By-law 87-78, not less than 10% of the lot area shall be provided and maintained as landscaped area; and,
 - (c) Notwithstanding clause 1(f) of By-law 87-78, a landscape planting strip having a minimum width of 1.35 m shall be provided and maintained along each lot line abutting a residential district to the north; and,
 - (d) That notwithstanding Section 18A, eighteen (18) parking spaces shall be provided and maintained for a thirty-three (33) unit Multiple Dwelling; and,
 - (e) That notwithstanding Section 18A (1)(c), one (1) loading space at 9.0 m x 3.0 m x 4.3 m shall be provided and maintained on Block "1" of the subject lands; and,
 - (f) That notwithstanding Section 6.(3) of By-law 76-233, planters, air conditioners and ornamental iron railings may project not more than 1.5 m within the front yard; and,
- (v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-481d, and that the subject lands on Zoning District Map W-11 be notated S-481d; and,

- (vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-11 for presentation to City Council; and,
 - (vii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- (b) Upon finalization of the implementing By-law the Strathcona Neighbourhood Plan be amended by changing the designation of Block "1" of the subject lands from "Commercial and Apartments" to "Medium Density Apartments".
4. (a) That Official Plan Amendment Application by Altco Int'l, owner, to establish a Special Policy Area to permit a sorting/storage warehouse (waste recycling) use for lands known municipally as 520 James Street North, as shown on the attached map marked as Appendix "D", be denied; and,
- (b) That Zoning Application ZAC-97-31, Altco Int'l Inc, owner for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified to permit a range of commercial uses and a sorting/storage warehouse (waste recycling facility), for lands located at 520 James Street North, as shown on the attached map marked as Appendix "D", be denied for the following reasons:
- (i) the sorting/storage (waste recycling) use is considered an industrial use and, as such, conflicts with the Official Plan and the approved North End East Neighbourhood Plan which designates the lands "Commercial"; and,
 - (ii) it allows for the continuation of an industrial use in an established residential neighbourhood with significant negative spillover effects including noise, truck traffic, lack of buffering/separation distance from adjacent single family dwellings, potential health/safety hazards, amongst others; and,
 - (iii) approval of the application would encourage other similar applications, which if approved, would undermine the intent of the Official Plan and erode the residential character of the area.
5. That the Building Commissioner be authorized to issue a demolition permit for 49 Royal Avenue in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

6.
 - (a) That City Council reaffirm its request of October 31, 1995, to Regional Council to delegate the authority to approve plans of subdivision and condominium to the City of Hamilton.
 - (b) That upon delegation of authority for subdivision and condominium approval from Regional Council, City Council delegate, by By-law, the authority to the Director, Planning and Development Department.
 - (c) That the City Clerk notify the Regional Clerk and the Commissioner, Regional Environment Department.
7. That the Building Commissioner be authorized to issue a demolition permit for 1478 Upper James Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
8. That the Building Commissioner be authorized to issue a demolition permit for 34 Crockett Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
9.
 - (a) That the city owned property at 87-89 King Street East be tendered for sale, with a restrictive covenant on title that the purchaser undertake to improve the property by adding two storeys substantially in accordance with the attached concept marked Appendix "E"; and,
 - (b) That this be co-ordinated through the Housing Section of the Building Department.
10. That the City of Hamilton accept the sum of \$1,800 in connection with "Brigadoon Park", Hamilton, \$12,100 in connection with "Wellington Meadows - Phase 1", Hamilton, and \$16,000 in connection with "Wisemount Estates - Phase 10", Hamilton, as the cash payments in lieu of the 5% land dedication required under Section 51 of the Planning Act.
11. That Section 1 of the Seventh Report of the Planning and Development Committee for 1998, as approved by City Council on 1998 April 14 and attached hereto as Appendix "F", be amended by deleting Section 1.(a) in its entirety and that Sections 1.(b), 1.(c), 1.(d), 1.(e), 1.(f), 1.(g), 1.(h) and 1.(i) be renumbered to 1.(a), 1.(b), 1.(c), 1.(d), 1.(e), 1.(f), 1.(g) and 1.(h), respectively.

12. (a) That an Offer to Purchase Part 2, Plan 62R-8629, 1650 Upper Ottawa Street for the price of \$167,000, executed by AFFG Properties & Investments Inc., dated 1998 March 16, be accepted. The said lands having a frontage on the westerly limit of Upper Ottawa of 70.259 metres (230.51 feet), by a depth of 187.449/187.731 metres (614.99/615.92 feet) and containing an area of 1.350 hectares (3.34 acres), being part of Lot 11, Plan 62M-352, Hamilton Mountain Industrial Park No. 3, said transaction scheduled to close on 1998 May 27. Funds derived from this sale less commission be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases (Sales)); and,
- (b) That this transaction include the Purchaser's promise to the City to develop this land with a building (not less than 10,000 square feet) by 1999 June 27 and if he fails to do so, to re-sell the land to the City of required by the City; and,
- (c) That upon successful completion of this sale, a real estate commission of 6% of the \$167,000 sale price, plus GST, be paid to Blair, Blanchard, Stapleton Limited (Sales representative Drew Blair), who acted in this matter; and,
- (d) That the required deposit cheque in the amount of \$16,700 be held by the City Treasurer pending Council approval; and,
- (e) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
- (i) satisfactory notice has been given to the public of the intended sale;
- (ii) no appraisal of the fair market value of the real property being sold was obtained as the lands are exempt from the appraisal requirements of Section 193 of the Municipal Act.
13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) C-66 A By-law to Adopt Official Plan Amendment No. 148 Respecting Lands Located at 1317 Upper James Street Within the Jerome Neighbourhood.
- (b) C-67 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1317 Upper James Street.
- (c) C-68 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 243 Fennell Avenue East.

1998 April 28

- (d) C-69 A By-law to Adopt Official Plan Amendment No. 147 Respecting Lands Located at 135 Fennell Avenue West Within the Buchanan Neighbourhood.
- (e) C-70 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 135 Fennell Avenue West.
- (f) C-71 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 135 Fennell Avenue West.

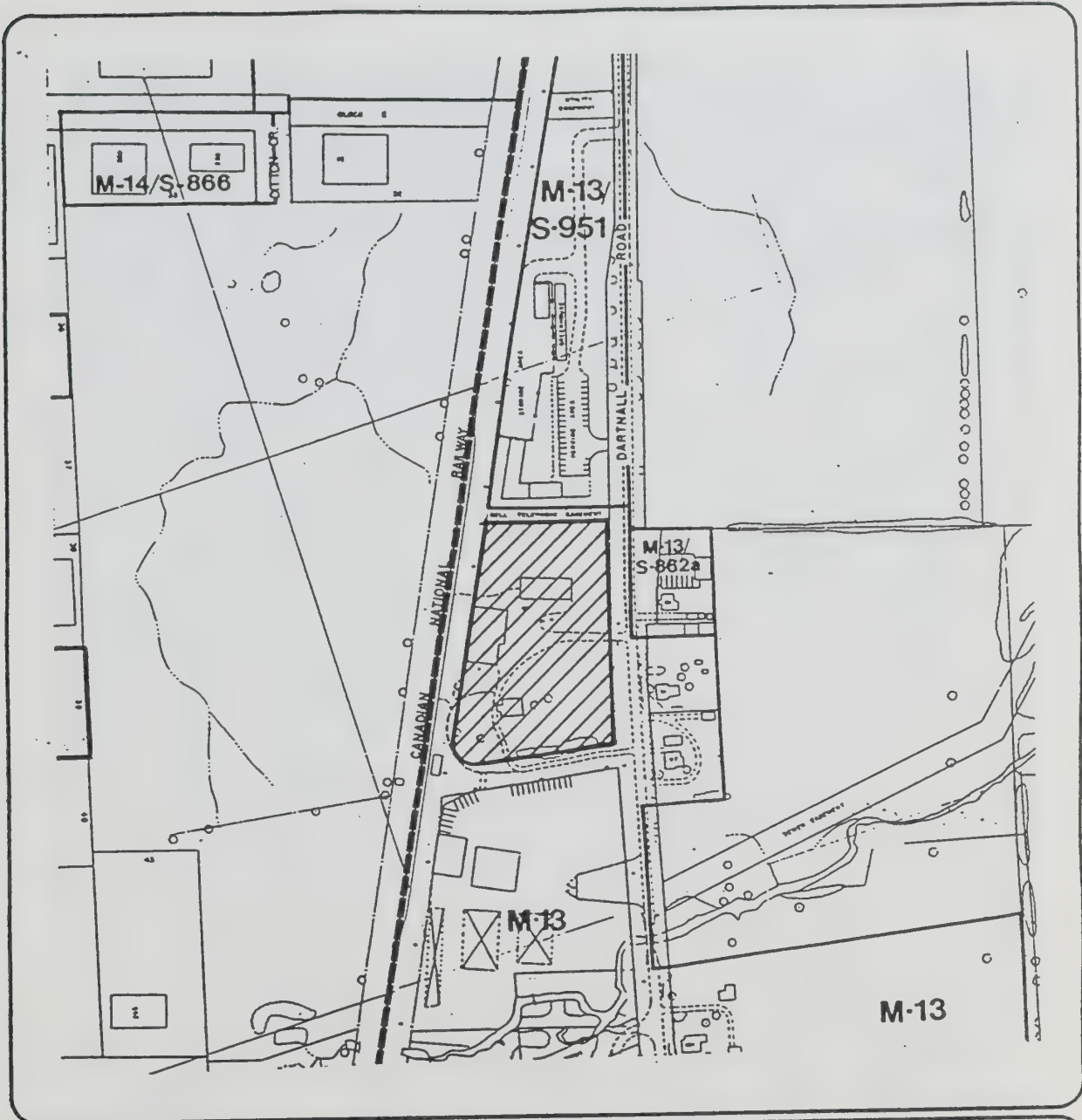
Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Tina Agnello, Secretary
1998 April 22**

1998 April 28

Appendix "A" referred to in Section 1(b) of the EIGHTH Report of the Planning and Development Committee for 1998



Legend



Site of the Application

City of Hamilton

Location Map

Planning and Development Department

North



Scale
NOT TO SCALE

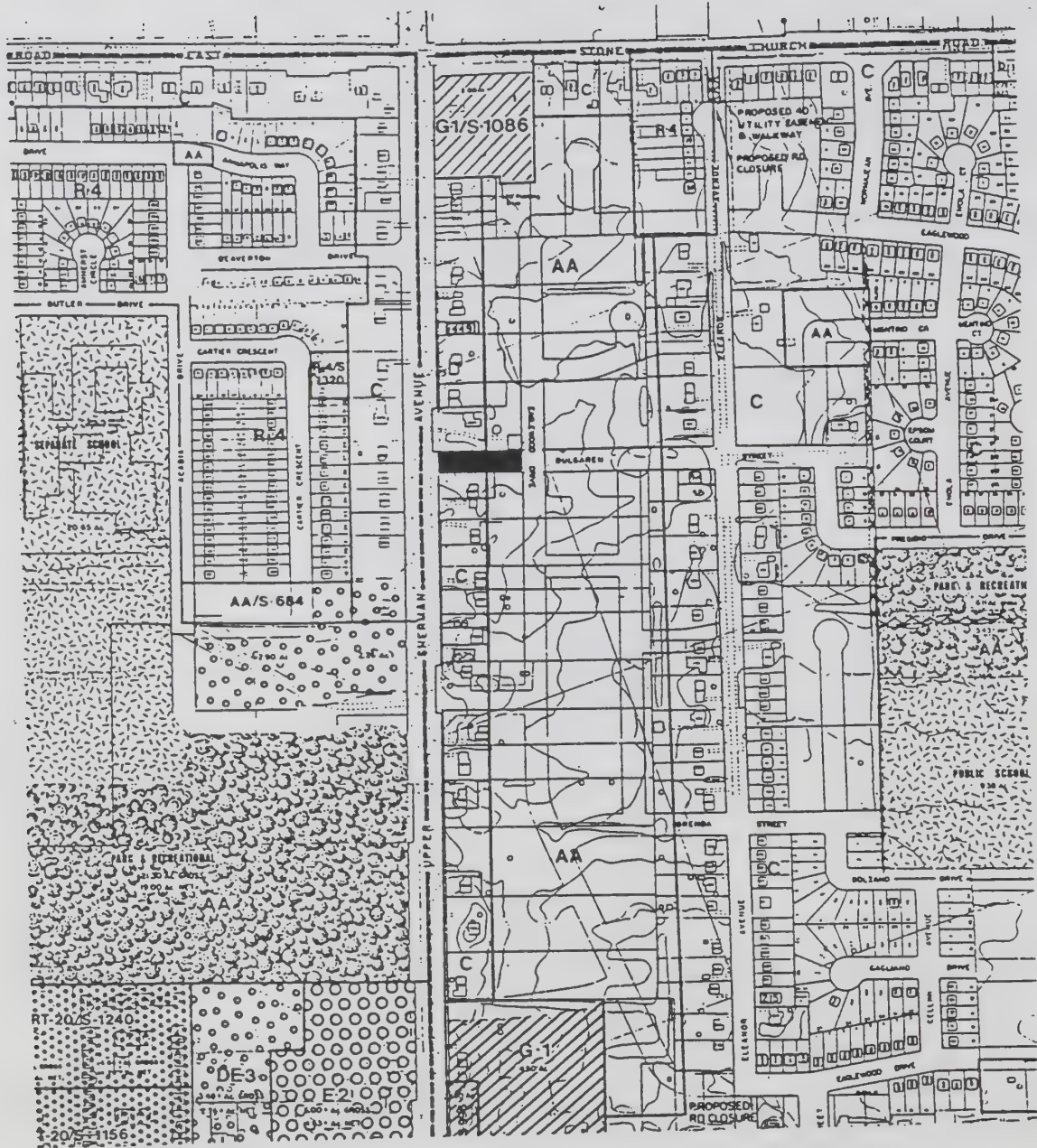
Date
FEBRUARY, 1998

Reference File No.
ZAC-98-06

Drawn By
B.B.

1998 April 28

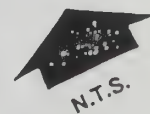
Appendix "B" referred to in Section 2(a) of the EIGHTH Report of the Planning and Development Committee for 1998

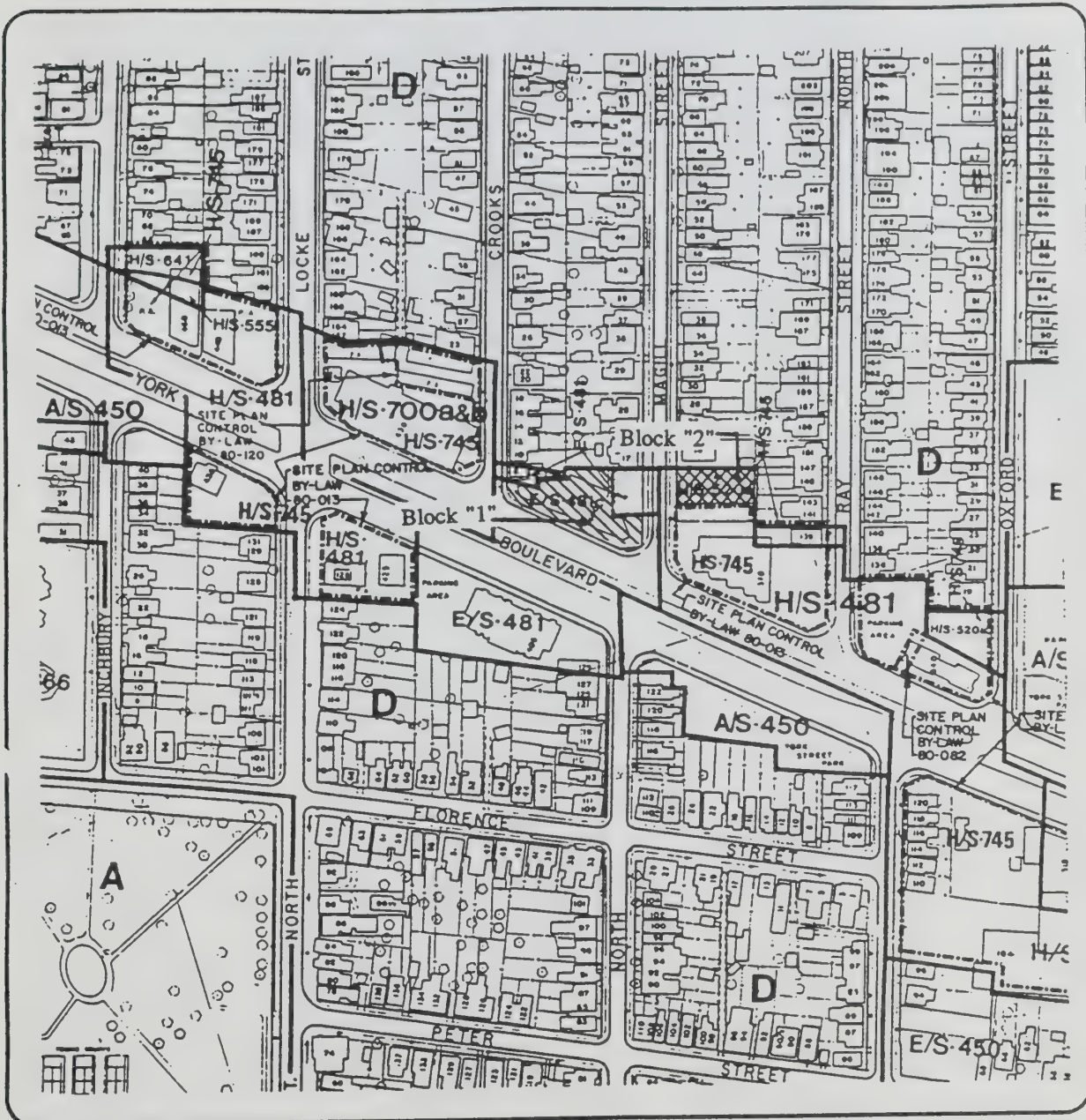


Legend




Portion of Dulgaren Street to be renamed





Legend

BLOCK 1
 Further modification to "E" (Multiple Dwellings Lodges, Clubs, etc.) District.

BLOCK 2
 From "H" (Community Shopping and Commercial, etc.) District to "G-3" (Public Parking Lots) District.

City of Hamilton

Location Map

Planning and Development Department

North



Scale
NOT TO SCALE

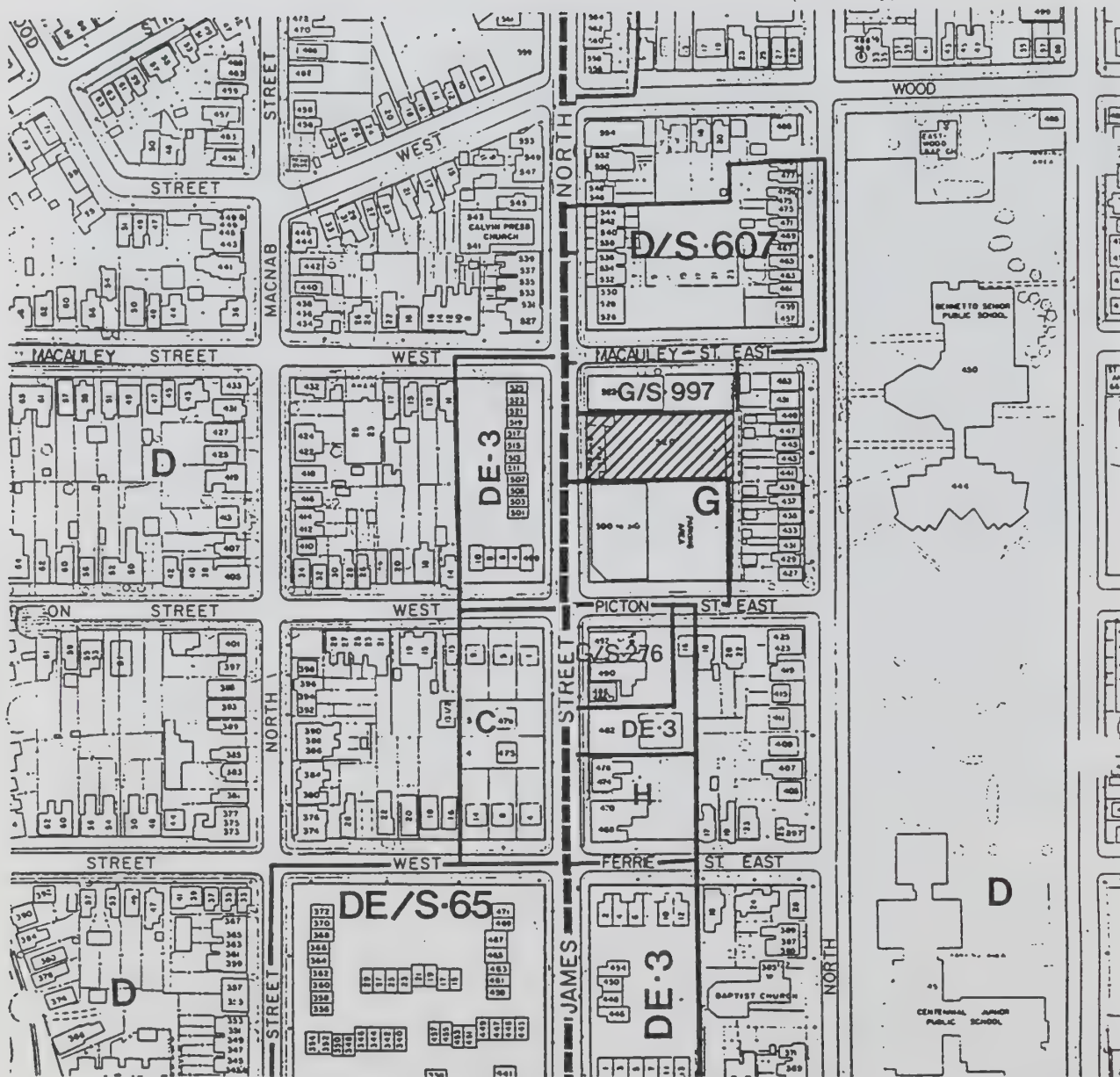
Date
FEBRUARY, 1998

Reference File No.
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Drawn By
R.L.

1998 April 28

Appendix "D" referred to in Section 4(a) & (b) of the EIGHTH Report of the Planning and Development Committee for 1998



Legend



Site of the Application

Reference File No.

ZAR-97-31

Drawn By

Date

R.L.

Sept. 1997

Scale

Not to Scale

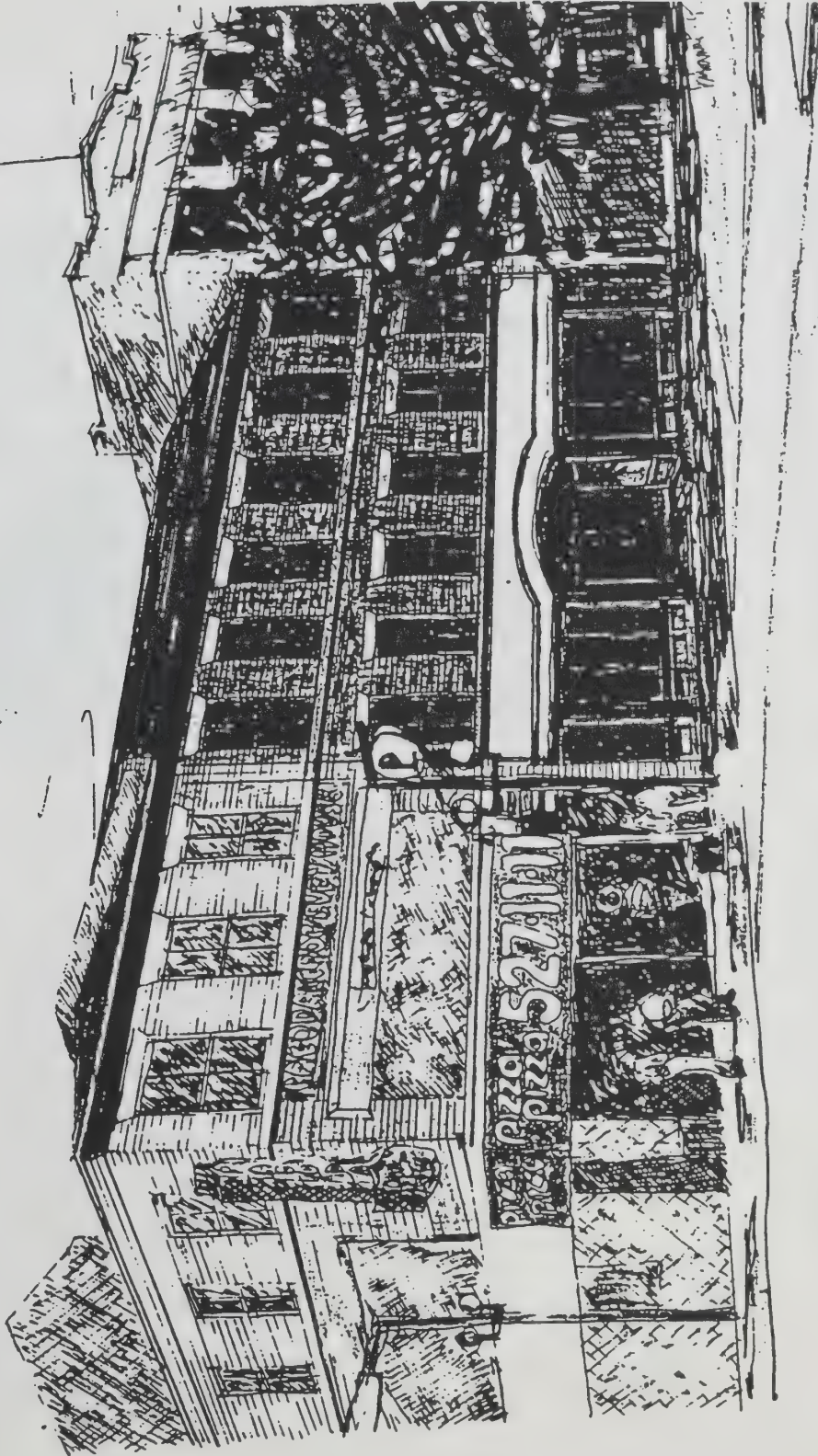
North



1998 April 28

Appendix "E" referred to in Section 9 of the
EIGHTH Report of the Planning and
Development Committee for 1998

PRELIMINARY CONCEPTUAL STUDY FOR THE
REVITALIZATION OF THE BUILDING AT
87-89 KING STREET EAST FOR THE
MUNICIPAL NON-PROFIT (HAMILTON)
HOUSING CORPORATION



RICHARD G. BUTTERWORTH ARCHITECT INC.

INTERIOR SPACE PLANNING

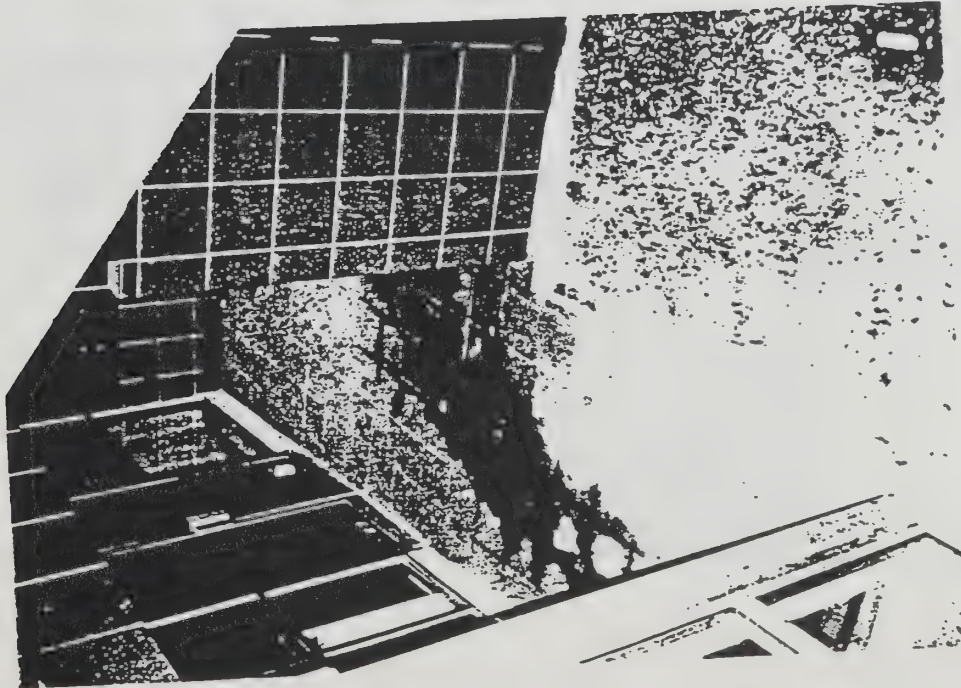
ARCHITECT

1998 April 28



PRELIMINARY CONCEPTUAL STUDY FOR THE REVITALIZATION OF 87-89 KING ST EAST
 HAMILTON FOR MUNICIPAL NON-PROFIT (HAMILTON) HOUSING CORPORATION
 RICHARD G. BUTTERWORTH ARCHITECT INC.

1998 April 28

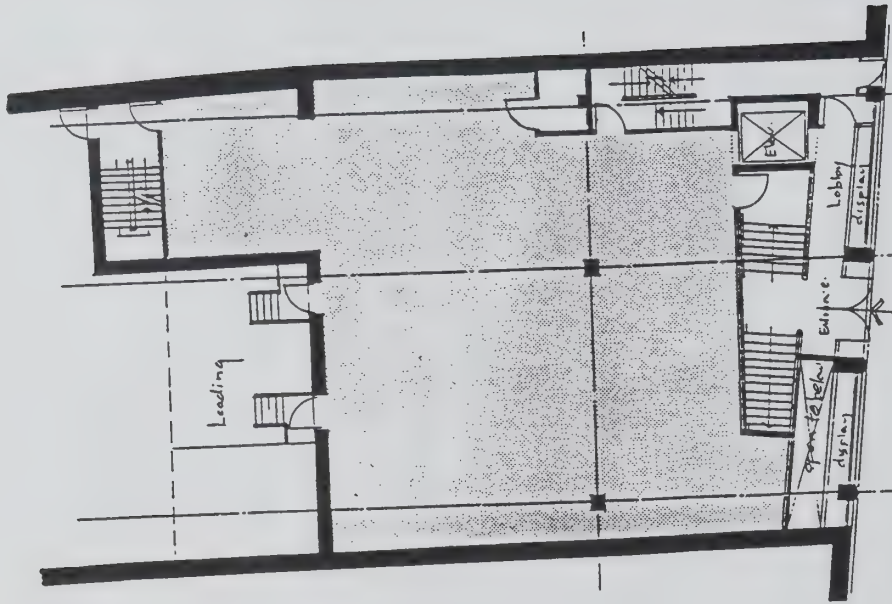


EXISTING LOWER OPEN AREA WELL



EXISTING KING STREET FACADE

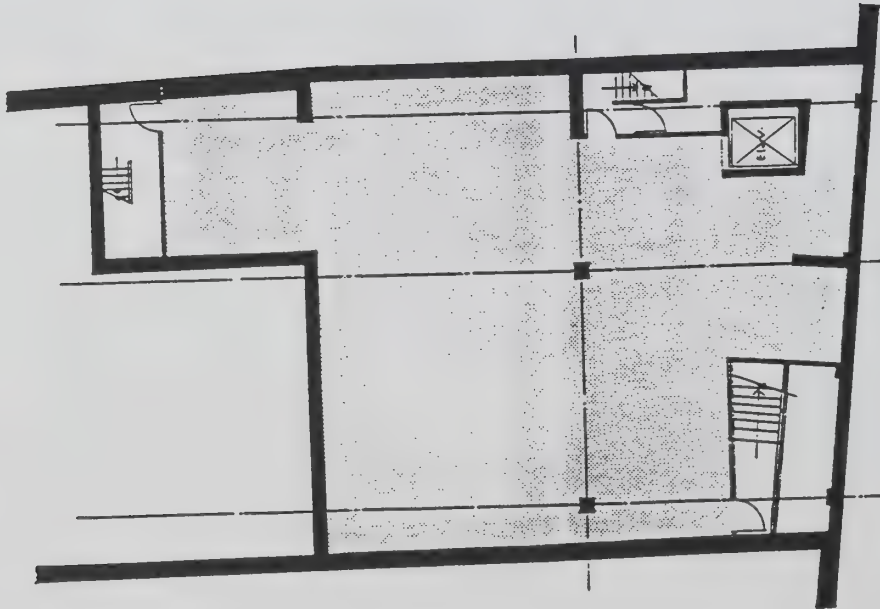
PRELIMINARY CONCEPTUAL STUDY FOR THE REVITALIZATION OF 87-89 KING STREET
HAMM TOWN FOR MUNICIPAL NON PROFIT (HAMM TOWN) HOUSING CORPORATION
RICHARD G. BUTTERWORTH ARCHITECT INC



KING ST.

COMMERCIAL - LEVEL 1

| EXISTING BLDG.



COMMERCIAL - BASEMENT

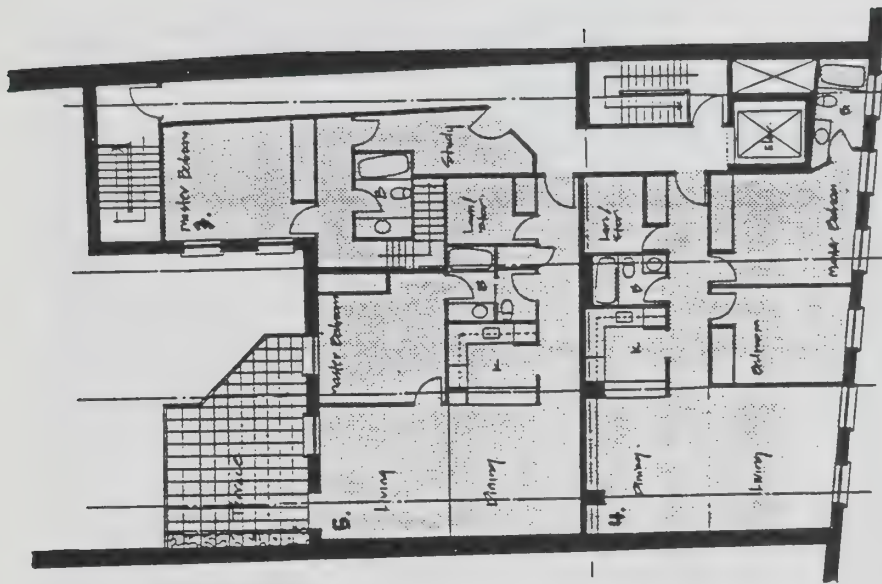
| EXISTING BLDG.



PROPOSED

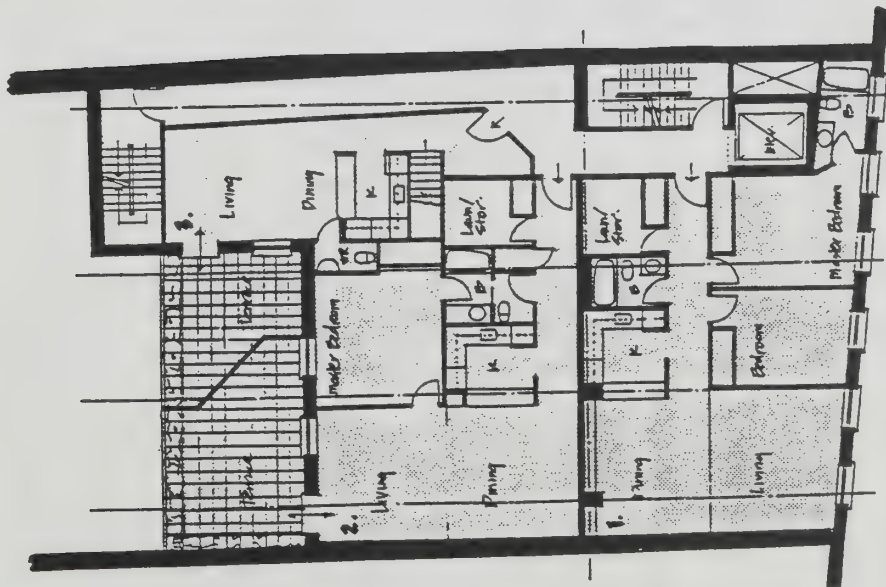
PRELIMINARY CONCEPTUAL STUDY FOR THE REVITALIZATION OF 87-89 KING ST EAS
HAMILTON FOR MUNICIPAL NON-PROFIT (HAMILTON) HOUSING CORPORATION
RICHARD G. BUTTERWORTH ARCHITECT INC.

1998 April 28



RESIDENTIAL - LEVEL 3 | NEW ADDITION

PROPOSED



RESIDENTIAL - LEVEL 2 | NEW ADDITION

PRELIMINARY CONCEPTUAL STUDY FOR THE REVITALIZATION OF 87-89 KING ST EAST
HAMILTON FOR MUNICIPAL NON-PROFIT (HAMILTON) HOI CORPORATION
RICHARD G. BUTTERWORTH ARCHITECT INC.

87-89 KING STREET EAST REVALUATION PROVIDED A SUMMARY OF THE RESULTS OF THE
 RIC D.G. BUTTERWORTH ARCHITECT INC. JULY 1997

QTY	UNIT TYPE	LOCATION	CHARACTERISTICS	UNIT AREA	TOTAL AREA
MARKET VALUE UNIT COMPOSITION (30%)					
2	2 - BEDROOM (2B1L)	NEW ADDITION	ONE LEVEL TWO BATH UNIT	113.0m ²	226.0m ²
2	1 - BEDROOM (2B31L)	NEW ADDITION	ONE LEVEL ONE BATH UNIT	89.0m ²	178.0m ²
1	1 - BEDROOM (2B3TC)	NEW ADDITION	TWO LEVEL ONE AND A HALF BATH UNIT	93.0m ²	93.0m ²
5					497.0m ²
COMMERCIAL AND OTHER SPACE					
	COMMERCIAL LEVEL 1	EXISTING BLDG.	FLEXIBLE DEMISABLE AREAS WITH OPTIONAL VERTICAL ACCESS		220.0m ²
	COMMERCIAL BASEMENT	EXISTING BLDG.	FLEXIBLE DEMISABLE AREAS WITH OPTIONAL VERTICAL ACCESS		355.0m ²
	CIRCULATION & SYSTEMS	EXISTING BLDG.			225.0m ²
		NEW ADDITION			126.0m ²
					906.0m ²
				TOTAL	1403.0m ²

1998 April 14

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its SEVENTH Report for 1998 and respectfully recommends:

1. That approval be given to amended Zoning Application 98-03, 1215443 Ontario Inc. (Ontario Pride Construction/Michael Bobiash), owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" - 'H' (Townhouse-Maisonette - Holding) District modified, to permit the construction of 13 townhouse units and 2 semi-detached units, for the property located at No. 243 Fennell Avenue East, shown as Blocks 1 and 2 on the attached map marked as Appendix "A", on the following basis:

- (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until:

Submission of a signed Record of Site Condition (RSC) to the Region of Hamilton-Wentworth and the Ontario Ministry of the Environment (MOE). This RSC must be to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the MOE.

Removal of the holding restriction shall be conditional upon the signed Record of Site Condition to the satisfaction of the Region and the Ministry of Environment. City Council may remove the 'H' symbol, and thereby give effect to the "RT-20" District provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled; and,

- (b) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-20" - 'H' (Townhouse-Maisonette - Holding) District modified; and,
- (c) That the "RT-20" (Townhouse-Maisonette) District regulations, as contained in Section 10E of Zoning By-law 6593, applicable to Block 1, be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 10E(2), only a maximum of one semi-detached dwelling and a townhouse dwelling having a maximum of three single family dwelling units shall be permitted; and,

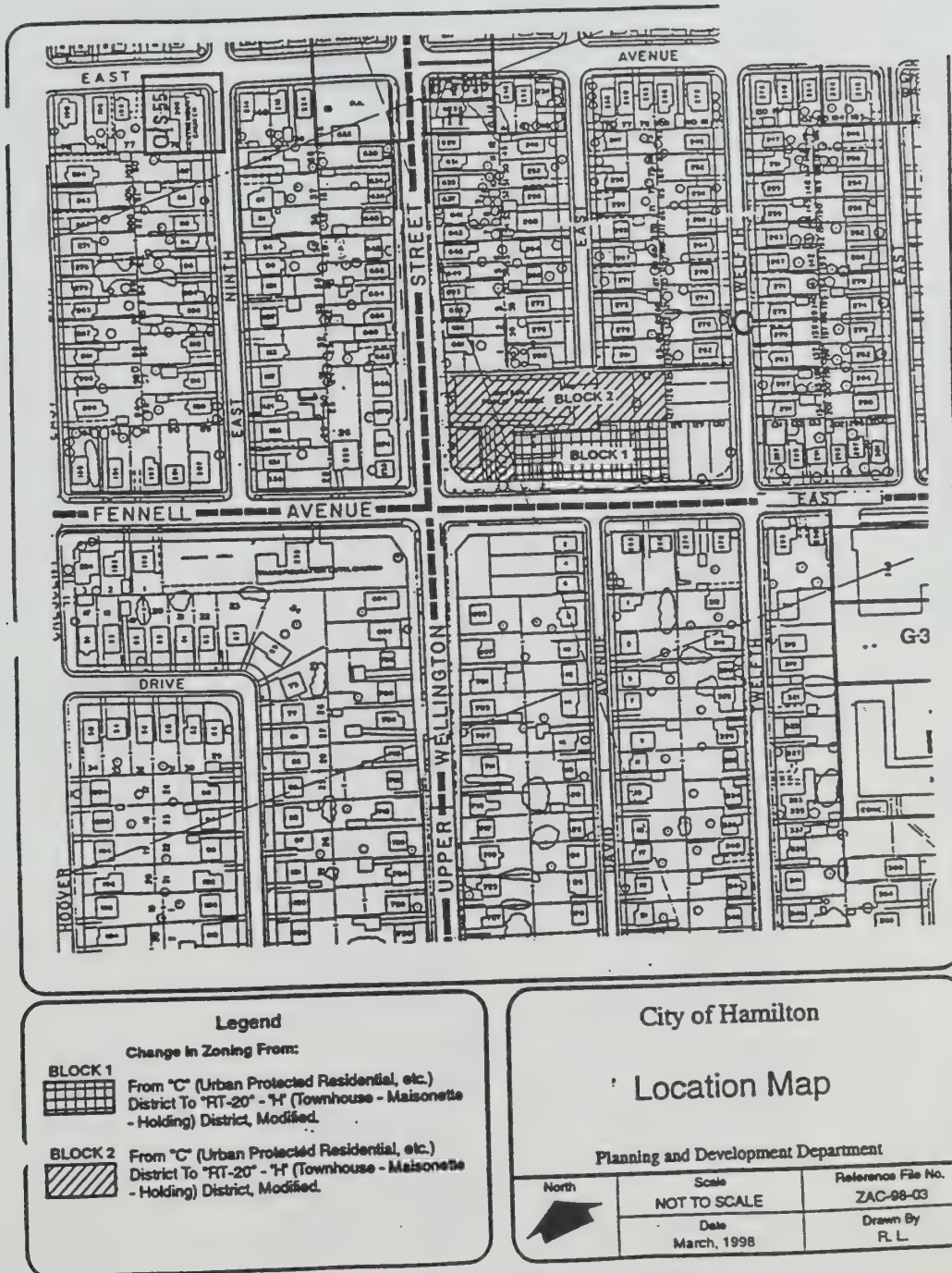
1998 April 14

- (ii) That notwithstanding Section 10E(4)(a), for a townhouse dwelling a side yard depth of not less than 4.0 metres shall be provided and maintained for the southerly lot line; and,
- (iii) That notwithstanding Section 10E(17)(a), for a townhouse dwelling not more than three single family dwelling units shall be attached in a continuous row; and,
- (d) That the "RT-20" (Townhouse-Maisonette) District regulations, as contained in Section 10E of Zoning By-law 6593, applicable to Block 2, be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 10E(2), only townhouse dwellings having a maximum of ten single family dwelling units shall be permitted; and,
 - (ii) That notwithstanding Section 10E(17)(a), for a townhouse dwelling not more than four single family dwelling units shall be attached in a continuous row; and,
- (e) That no pedestrian or vehicular access shall be permitted from East Eleventh Street; and,
- (f) That the building elevation drawings as submitted with a future Site Plan application for the subject lands be consistent with the height, scale, style, character and architectural details of the proposed dwellings shown in Appendix "B"; and,
- (g) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1400, and that the subject lands on Zoning District Map E-16 be notated S-1400; and,
- (h) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-16, for presentation to City Council; and,
- (i) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

1998 April 28

1998 April 14

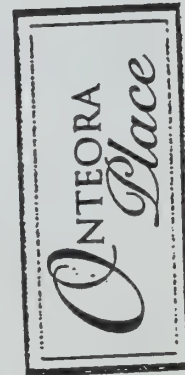
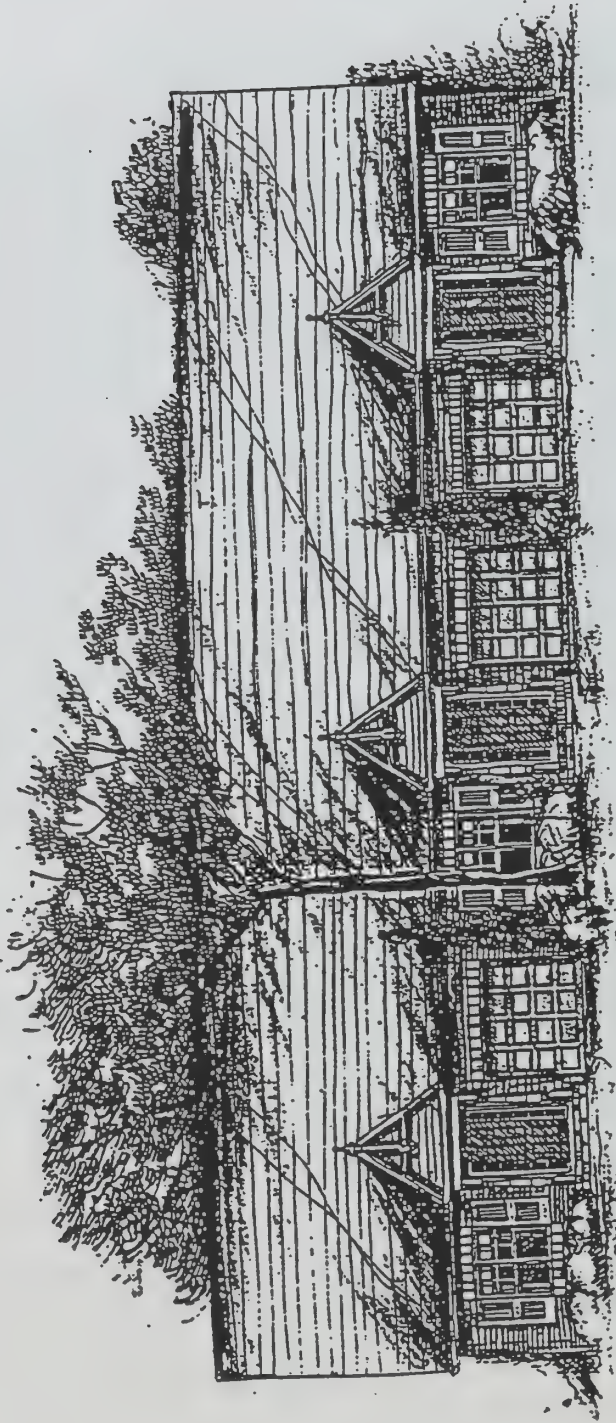
Appendix "A" referred to in Section 1 of
SEVENTH Report of the Planning and
Development Committee for 1998



1998 April 28

1998 April 14

Appendix "B" referred to in Section 1(f) of
the SEVENTH Report of the Planning and
Development Committee for 1998



C-6

C-22

FINANCE & ADMINISTRATION
COMMITTEE

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWELFTH** Report for 1998 and respectfully recommends:

1. That as referred to in Section 5 of the Seventh Report for 1998 of the Planning and Development Committee, approved by City Council at its meeting held 1998 April 14th, the upset contribution of \$5,000 to assist in defraying the costs of the Ontario Association of Property Standards Annual Education Seminar and General Meeting on 1998 May 24-29, to be held at McMaster University, be financed from the Hosting of Conferences with Municipal Subject Content Account CH 54307 80040.
2.
 - (a) That the current lease agreement between Corrado Belacca, John Malagrino and the City of Hamilton respecting the Farmers' Market Coffee Shop, be amended to remove Corrado Belacca as a licensee and include Ann Soos as an added licensee; and,
 - (b) That the amended lease agreement continue to provide for the agreement to expire on 2000 August 31, with no option to renew, at a monthly rate of \$439 for 1998, to be adjusted during the term of the agreement at the pleasure of Council; and,
 - (c) That the City Solicitor be authorized and directed to prepare the necessary amending agreement.
3. That insofar as a pedestrian walkway connection has been re-opened between Eaton's and Jackson Square, that no further action be taken with respect to construction of a contemplated pedestrian connection between the Farmers' Market/Jackson Square and Eaton's.
4.
 - (a) That approval be given to the Terms of Reference for the Social and Economic Impact Study for Charity Gaming Clubs, attached herewith and marked Appendix "A" at an estimated cost of \$20,000; and,
 - (b) That the City Treasurer be requested to recommend the method of financing.

5. (a) That Blair, Blanchard, Stapleton Limited, Chambers & Company Limited, John W. Harvey Real Estate Limited, and Star Real Estate Limited be retained to provide real estate brokerage services to sell surplus City commercial and industrial properties for a two (2) year term expiring 2000 April 30; and,

(b) That the Manager of the Real Estate Division, City Clerk's Department be authorized and directed to sign the Multiple Listing Agreement for each surplus commercial/industrial property to be listed.
6. That the Chief Administrative Officer be authorized to approve for the payment of legal and insurance adjusting costs related to the City's defence against claims arising out of the Plastimet Fire.
7. That the City Treasurer be authorized to reimburse the Hamilton Habitat for Humanity as per their application dated 1998 April 2, from the proceeds of the sale of 11 Arthur Avenue South, in the amount of \$5,696.87, for the sole purpose of assisting the organization to purchase 95 Mary Street North.
8. That a purchase order be issued to G.C. Duke Equipment Ltd., Burlington, in the amount of \$132,307.50, including volume order discount and all applicable taxes, being the lowest total acquisition cost meeting specifications of four tenders received in accordance with specifications issued by Purchasing and Vendor's tender. This purchase includes one (1) 5 Gang Sports Field Mower to be financed through T. B. McQueston Park Development, Capital Funds Account No. CF 629254005 as approved by City Council 1997 March 18, and one (1) replacement, 5 Gang Sports Field Mower to be financed through the Reserve for Mobile Equipment Account pending the approval of the 1998 Capital Funds. The 4 Wheel Turf Truckster to be financed through the Turner Park Development Phase II, Capital Funds account No. CF 629754034 as approved by City Council 1997 March 18.
9. (a) That an Offer to Purchase Agreement for 319/321 King Street East for the price of \$75,500, executed by Miklos Vig and John Szalai, dated 1998 April 1, and scheduled to close on or before 1998 May 15, be accepted. The said lands being composed of part of Lots 2, 3, and 4 on Plan 214, have a frontage of 8.074 metres (26.5 feet) more or less, along the northern limit of King Street East and a depth of 31.47 metres (103.25 feet) more or less. The lands and buildings were vested with the Corporation of the City of Hamilton as a consequence of proceedings under the Municipal Tax Sales Act, R.S.O. 1990, Chapter M.60 as amended. Funds derived from this sale of \$75,500, less a commission of \$4,530, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

- (b) That the required deposit cheque in the amount of \$5,000 be held by the City Treasurer pending Council approval; and,
 - (c) That upon successful completion of this sale, a real estate commission of \$4,530 (6% of the \$75,500 sale price, plus GST) be paid to Blair, Blanchard, Stapleton Limited (Sales Representative John Gallagher), who acted in this matter; and,
 - (d) That a Notice may be registered on Title advising of the Region's requirement for a 3.0 metre (9.84 foot) dedication along King Street East, as a condition of redevelopment; and,
 - (e) That the Purchaser may be required, on or before closing, to enter into a Building Encroachment Agreement with the Region, and the Purchaser be responsible for all conditions, costs and fees; and,
 - (f) That the Purchaser acknowledges that the owners of the lands to the west (315/317 King Street East) share the use of an access staircase at the rear of 319/321 King Street East and agrees to accept title, subject to the existence of said staircase; and,
 - (g) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) That satisfactory notice has been given to the public of the intended sale; and,
 - (ii) That an appraisal of the fair market value of the real property intended to be sold was obtained on 1998 April 21.
10. (a) (i) That 177 Sherman Avenue North be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and,
- (ii) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law; and,

- (b) (i) That an Offer to Purchase under Power of Sale under mortgage for the property at 177 Sherman Avenue North for the price of \$50,000, executed by 805726 Ontario Inc. (Mike Valvasori, President), dated 1998 March 25, be accepted. The said land has an area of 728.4 square metres (7,841 square feet) more or less, being Lot 15 on Registered Plan 245 in the City of Hamilton, said transaction scheduled to close 1998 June 23. Funds derived from this sale less commission be credited to Account Centre CH 00115 (Reserve for Contingency); and,
- (ii) That the required deposit cheque in the amount of \$5,000 be held by the City Treasurer pending Council approval; and,
- (iii) That the Offer be approved subject to clauses which state:
 - (1) That the Vendor consents to the Purchaser, at their sole expense, to make application to the Assessment Review Board - Ministry of the Attorney General, appealing the assessment on the subject property prior to closing and the Vendor agrees to sign any required documentation for that application and to do all things reasonably necessary in support of it; and,
 - (2) That the Purchaser acknowledges that the closing of the herein transaction is not conditional upon the successful completion of said assessment appeal. The Purchaser shall be required to close the herein transaction regardless of the status of the appeal; and,
 - (3) Upon closing, the Purchaser agrees to immediately proceed to fix up the facade of the building in an aesthetically pleasing manner; and,
 - (4) That the Vendor agrees to this transaction being assigned to City Kidz (or as they may otherwise incorporate themselves for the purpose of this transaction); and,
- (iv) That upon successful completion of this sale, a real estate commission of 6% of the sale price be paid to Blair, Blanchard, Stapleton Ltd. (Robert Miles, Agent), who acted in this matter; and,
- (v) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (1) Satisfactory notice has been given to the public of the intended sale; and,

1998 April 28

- (2) An appraisal of the fair market value of the real property intended to be sold was obtained on 1998 April 7.
11. That the City's Sub-Committee on Harbour Issues (Mayor R. Morrow, Alderman B. Charters, Alderman C. Collins), as well as the City Solicitor, be authorized to attend and make a presentation before the Senate Hearings on The Canada Marine Act, Bill C-9 being held in Ottawa on Thursday, 1998 April 30th.
12. That Archie McQueen be appointed as The Hamilton-Wentworth District School Board representative on the City of Hamilton Library Board for a term to expire 2000 November 30th.
13. That the following Bill be adopted, signed, sealed and enrolled as a By-law:
- D-26 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1998 April 21**

1998 April 28

Appendix "A" referred
to in Section 4 of the
TWELFTH Report of
the Finance and
Administration
Committee for 1998

TERMS OF REFERENCE

SOCIAL AND ECONOMIC IMPACTS FOR CHARITY GAMING CLUBS THE CITY OF HAMILTON

Prepared by the Planning and Development Department
April 1998

WHY ARE WE DOING THIS STUDY?

Concerns have been raised by the City with respect to the establishment of permanent charity gaming club(s). The Finance and Administration Committee, at its meeting of January 20, 1998 heard a delegation on the issue of charity gaming clubs. The Committee recommended that:

- "a) the Province be advised that the City of Hamilton is opposed to the establishment of permanent charity gaming clubs (charitable casinos); and,
- b) staff be authorized and directed to bring back a Terms of Reference for a study on the social and economic impact of a casino operation in the City of Hamilton."

City Council, at its meeting of January 27, 1998, approved an amended resolution to the Finance and Administration Committee to include:

- "c) staff prepare a by-law prohibiting the installation of electronic gaming machines; and,
- d) this by-law be presented to the next Finance and Administration Committee"

BACKGROUND:

It is a widely held view that casinos generate both social/economic costs and opportunities of the community in which it is located. Because of this view, many studies have been conducted in the United States and abroad, as well as Canada identifying those impacts. Many of the studies deal with large casinos, such as the ones in Niagara and Windsor.

- Differences between Casinos and Charity Gaming Clubs
 - **casinos** are on a larger scale (i.e. Niagara, Windsor) and have a permanent site and are run 24 hours a day. There are several different games of chance including roulette wheel, slot machines, card games (i.e. blackjack), Wheel of Fortune. They are regulated by the Province (Minister of Trade, Economic Development, Trade and Tourism) through the Ontario Casino Corporation.
 - **charity gaming clubs** are the newest form of gambling location. There will be a permanent site for this use which will operate 24 hours a day. Video lottery terminals will be permitted in conjunction with the charity gaming club facility.

The facility is expected to have a maximum of 40 table games and 150 VLT's and is approximately one tenth the size of the Niagara type casinos.

The differences in the operation between a "casino", "charity gaming clubs" and a "monte carlo event" are the duration of the event, the location of the use, the type of games played, the use of slot machines or VLT's, betting limits, number of table games and/or machines and the provincial regulations. **Charity gaming clubs are one tenth the size of provincially run casinos.**

- Ontario Experience

On November 19, 1996, Bill 75 - The Alcohol, Gaming and Charity Funding Public Interest Act received Royal assent. The Act merged the Liquor Licence Board of Ontario, the Gaming Commission of Ontario and some regulations under the Liquor Control Board of Ontario to form a new Commission titled the Alcohol and Gaming Commission.

The two most notable issues raised by the introduction of Bill 75 are: the introduction Video Lottery Terminals (VLT's) and the phasing out of temporary Monte Carlo events and the replacement with 44 permanent charity gaming clubs throughout the Province. The Province states:

"The Charity Gaming Club initiative is intended to address limitations and deficiencies that inhibit effective, efficient regulation of the gaming activity represented by the existing "roving" monte carlo events." (excerpt from Request for Proposal - Charity Gaming Club Project)"

This new Commission (once Bill 75 is proclaimed) also will control video lottery terminals. The Act defines it as follows:

"'Video Lottery' means a lottery scheme conducted and managed by the Corporation and operated on or through a video lottery terminal;"

"'Video Lottery Terminal' means a machine or device that allows a person to play a lottery scheme upon payment of money where that play may result in the receipt of a credit that can be redeemed for further play or money."

VLT's will be permitted in conjunction with the permanent charity gaming club. The Province is still reviewing the possibility of allowing them in hotels, restaurants, etc on a stand alone basis.

On February 17, 1997, the Province indicated there would be 44 charity gaming clubs within the Province and potentially, there are three sites within the Hamilton/Burlington/Oakville area.

- Zoning Regulations

By-law No. 97-073 was passed by City Council, at its meeting of April 23, 1997:

- to define the terms "charity gaming clubs", "table games" and "video lottery terminals";
- to permit a "video lottery terminal" only in conjunction with "charity gaming club"; and,
- to permit the above uses within the following zoning districts:
 - "I" (Central Business) District;
 - "CR-3" (Commercial-Residential) District
 - "H" (Community Shopping and Commercial, etc.) District;
 - "HI" (Civic Centre Protected) District; and,
 - "J" (Light and Limited Heavy Industrial) District.

that are within the downtown district **only**.

- Building Permits

A building permit has been issued for a site in Jackson Square. In addition, there are two additional sites where building permit applications have been received but no permits have been issued to date.

- Focus of the Study

The social impacts are generally identified as having negative rather than positive impacts on the community. Most of the concerns centre around the effects that gambling, particularly problem gambling has on the family, the cost to the health care system, the cost to business community in terms of lost productivity,

Economic impacts have been both positive and negative in terms of the spinoff effects in the local community as well as the larger community.

TERMS OF REFERENCE

PURPOSE: The purpose of the study is determine what social and economic impacts on the community of Hamilton result from a permanent charity gaming club.

OBJECTIVES: For the purposes of this study, "community" is defined in general terms and includes both people and businesses.

The objective of the economic impact statement is outline what economic opportunities and costs are for groups such as the City, local businesses, charities and people.

The social impact component will look at the social opportunities and costs, with particular emphasis on residents of the City and the clients of the charity gaming club.

QUESTIONS TO BE ANSWERED What are the economic opportunities and costs to both the City as a whole and the downtown area? More specifically,

- Jobs: number of jobs created, where and what type?
- Tourism: Do charity gaming clubs (or casinos of a similar size) increase the potential number of tourists in the City?
- Other entertainment facilities With the introduction of another form of entertainment, what would the impact be on other entertainment facilities (i.e. Copps, Theatre, Convention Centre, etc.)?
- Business Growth/Decline: Do new types of businesses within the community establish or cease as a result of the charity gaming clubs (or a casino of a similar size)?
- Local Businesses: What are the positive and negative economic spinoffs for the businesses (i.e. hotels, restaurants) in the surrounding area?
- Local Charities: Without the benefit of charity gaming clubs how do the charities raise money and what would be the losses? What are the impacts on other gambling activities (i.e bingos, nevada tickets)

- Municipal Costs: What are the costs to the municipality for such services as policing, lighting, etc.?

What are the social costs to the City? More specifically,

- Availability of Gambling: Does the availability of gambling have an increase on the number of pathological gamblers (i.e. problem gamblers) ?
- Impacts on families: What are the impacts on the families, friends etc. by gamblers?
- Cost to the Health Care System: What is the cost to the health care system for treating gamblers and their families?
- Increase in crime: Does the presence of a gambling establishment increase the amount of crime in the City and in particularly the downtown area? Particular reference should be made to drugs, prostitution and number of break and enters. Are there new types of crime introduced into the community?
- Impact on Surrounding Area: What are the impacts in terms of noise, traffic etc. on adjacent areas?

WHAT RESOURCES ARE NEEDED

A review of the current literature dealing with small casinos, socio economic profile of gamblers, frequency of gambling, per capita expenditures, age of person spending money in casinos in relation to all gambling forms, crime rates should be undertaken. In addition, a survey of what other municipalities are doing would be important.

WHO SHOULD DO THE STUDY

The study should be undertaken by a consultant that has expertise in the area of economic and social impact. Alternatively, an agency, such as the Social Planning and Research Council, in conjunction with McMaster University, may do this study. The Planning and Development Department, does not have the in house expertise, nor is it likely other Departments do.

WHO IS THE CITY LIAISON

The Planning and Development Department could coordinate the completion of the study with assistance from such other Departments as Regional Community Services, Economic Development and/or the Health Department.

TIMING

The anticipated time for completion could be 6 months to a year depending on the expertise of the consultant and the complexity of the study.

COST

Estimated to be about \$20,000.

L I C E N S I N G C O M M I T T E E

TIMING

The anticipated time for completion could be 6 months to a year depending on the expertise of the consultant and the complexity of the study.

COST

Estimated to be about \$20,000.

L I C E N S I N G C O M M I T T E E

1998 April 28

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **THIRD** Report for 1998 and respectfully recommends:

1. That the appeal by Zuhair Shihadeh for reinstatement on the Taxi Priority List be denied.

Confidential background information provided to members of City Council under separate cover.

Respectfully submitted,

**ALDERMAN F. EISENBERGER, CHAIRPERSON
CITY OF HAMILTON LICENSING COMMITTEE**

**Stella Glover, Secretary
1998 April 15**

**REPORT OF HIS WORSHIP
MAYOR R. M. MORROW**

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **SECOND** Report for 1998 and respectfully recommends:

1. (a) That the following constitute the membership of the Mayor's Committee Against Racism and Discrimination:

Mayor Robert M. Morrow	(for a term to expire 2000 November 30)
Alderman M. Caplan	(for a term to expire 2000 November 30)
Alderman A. Horwath	(for a term to expire 2000 November 30)
Salim Bheriani	(for a term to expire 2000 November 30)
Elaine Burgess	(for a term to expire 2000 November 30)
Vilma Rossi	(for a term to expire 2000 November 30)
Veronica Taylor	(for a term to expire 1999 November 30)
Marlene Thomas Osbourne	(for a term to expire 1999 November 30)
Marc Haas	(for a term to expire 1998 November 30)
Geoff Small	(for a term to expire 1998 November 30)
and,	

- (b) That, due to the shortness of the first term, seats on the Mayor's Committee Against Racism and Discrimination which will expire in November 1998 not be advertised. Instead, the membership of those whose term is expiring will be reviewed, together with the applications of those who were interviewed in April 1998 and not appointed at that time; and,
- (c) That when applicants are notified, they be advised of the above noted procedure.

Respectfully submitted,

**ROBERT M. MORROW,
MAYOR**

**Stella Glover, Secretary
1998 April 23**

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1998 APRIL 28
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Adopt:

Official Plan Amendment No. 148

Respecting:

**LANDS LOCATED AT 1317 UPPER JAMES STREET
WITHIN THE JEROME NEIGHBOURHOOD**

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 148 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this

day of

A.D. 1998

CITY CLERK

MAYOR

(1998) 6 R.P.D.C. 5, March 31
Hampshire Properties Limited, Owner
ZAC-97-39/1317 Upper James Street

schedule B
amendment no. 148
 to the
 official plan
 for the
 city of hamilton

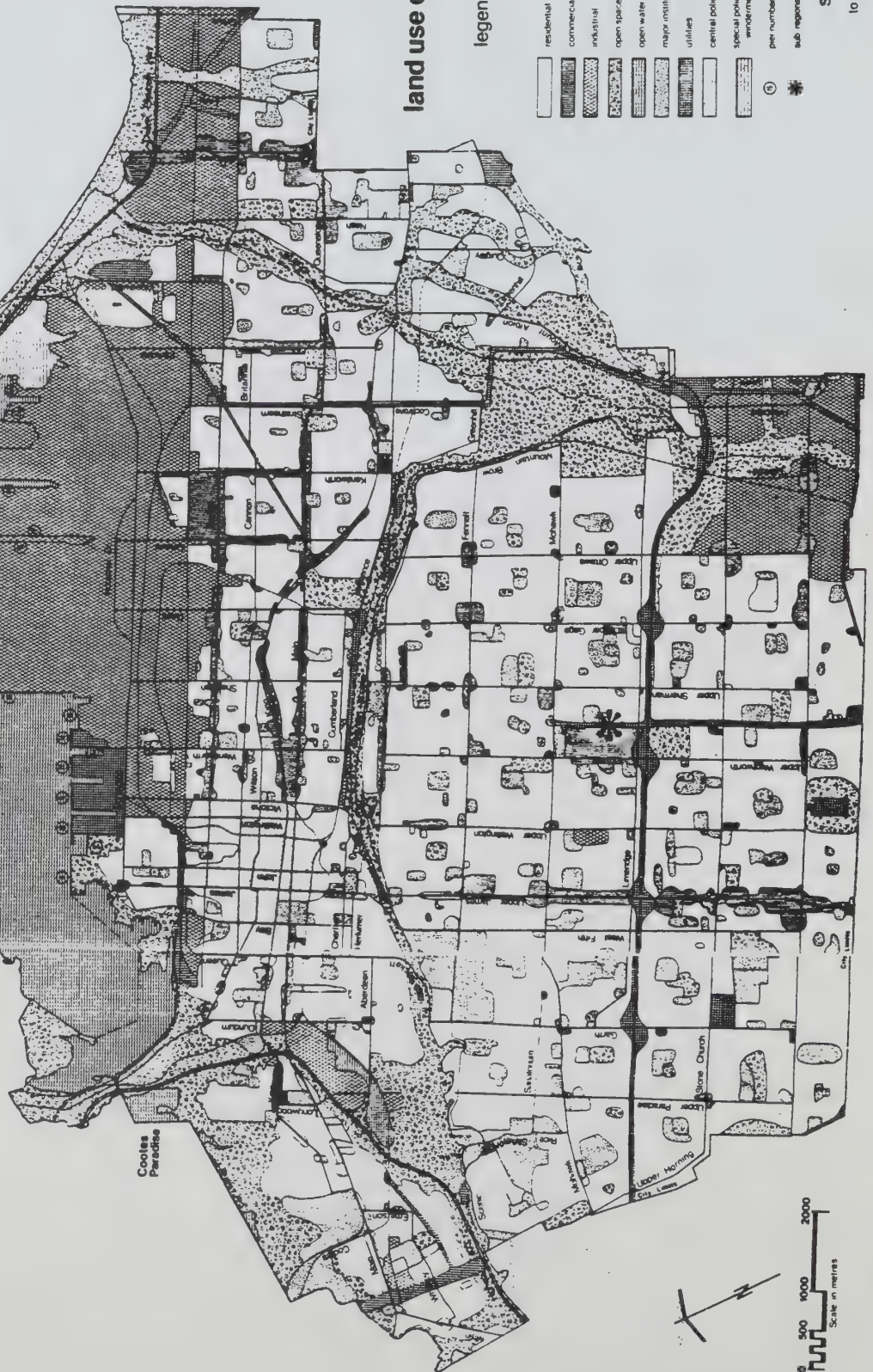
legend

Area to be changed from
 "Residential" to "Commercial"

date
 April 1996
 drawn by
 F.A.
 reference file no.
 OPA 148

Lake Ontario

DEFERRED NO D-6
 UNDER SECTION 14(3) OF
 THE PLANNING ACT



land use concept

legend

- residential
- commercial
- industrial
- open space
- open water
- major institutional
- utilities
- central policy area
- special policy area
- watershed basin
- per numbers
- sub regional centre

schedule A
 to the official plan
 for
 the city of hamilton

Amendment No. 148
to the
City of Hamilton Official Plan

The following text, together with Schedule "A" - Land Use Concept of the Official Plan, and Schedule "B" - Special Policy Areas, attached hereto, constitute Official Plan Amendment No. 147.

Purpose:

The purpose of this Amendment is to redesignate the rear portion of the subject lands from "Residential" to "Commercial" and redesignate the entire subject lands from Special Policy Area (SPA) No. 31a to Special Policy Area No. 31 to permit commercial development.

Location:

The lands affected by this Amendment are for the property known municipally as No. 1317 Upper James Street, within the Jerome Neighbourhood.

Basis:

The basis for permitting commercial development on the subject lands is as follows:

- 1) The proposed commercial development is appropriately located on a major arterial roadway; and,
- 2) The development will be in keeping with the existing commercial streetscape and character of Upper James Street.

Actual Changes:

- 1) Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the rear portion of the subject lands from "Residential" to "Commercial", as shown on the attached Schedule "A" of this Amendment; and,

- 2) Schedule "B" - Special Policy Areas be revised by redesignating the subject lands from Special Policy Area No. 31a to Special Policy Area No. 31, as shown on the attached Schedule "B" of this Amendment.

Implementation:

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 98- , passed on the day of , 1998.

The Corporation of the
City of Hamilton

City Clerk

Mayor

schedule B **amendment no.148**

to the
official plan
for the
city of hamilton

legend

area to be changed from:
Redesignate from SPA No.31A
to SPA No.31



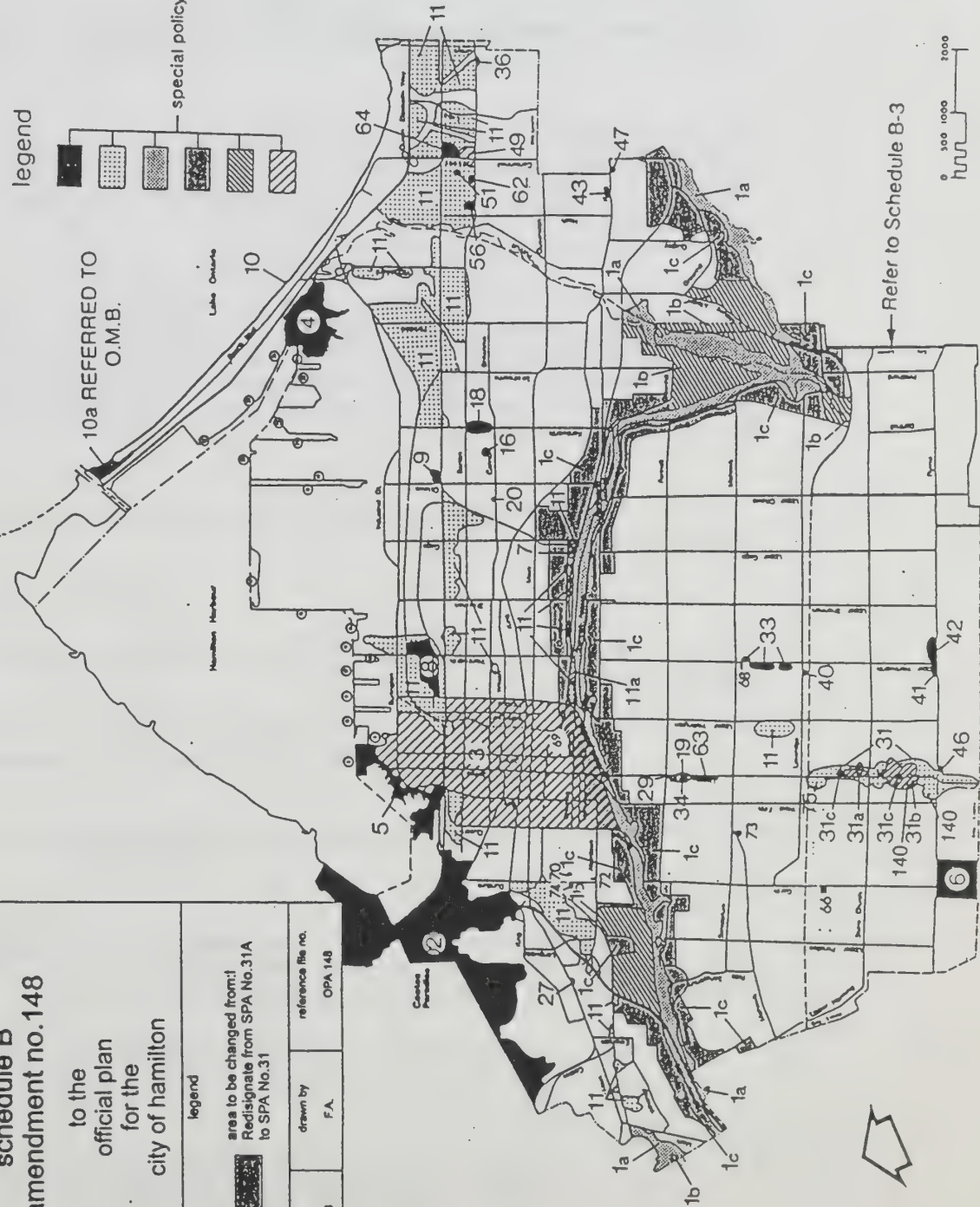
date	drawn by	reference file no.
April, 1998	F.A.	OPA 148

legend



10a REFERRED TO
O.M.B.

special policy areas



Refer to Schedule B-3

special policy areas

AREA	REFER TO POLICY	REFER TO AREA POLICY
1(b)	A.2.9.1.	53 "Detour"
1(b)	A.2.9.1.	54 "Detour"
1(c)	A.2.9.1.	55 A.2.9.1.50.
2	A.2.9.2.	56 A.2.9.1.51.
3	A.2.9.3.	57 A.2.9.1.52.
4	A.2.9.3.1.	58 A.2.9.1.53.
5	A.2.9.3.2.	59 A.2.9.1.54.
6	A.2.9.3.3.	60 A.2.9.1.55.
7	A.2.9.3.4.	61 A.2.9.1.56.
8	A.2.9.3.5.	62 A.2.9.1.57.
9	A.2.9.3.6.	63 A.2.9.1.58.
10	A.2.9.3.7.	64 A.2.9.1.59.
11	A.2.9.3.8.	65 A.2.9.1.60.
11(a)	A.2.9.3.9.	66 A.2.9.1.61.
11(b)	A.2.9.3.10.	67 A.2.9.1.62.
11(c)	A.2.9.3.11.	68 A.2.9.1.63.
12	A.2.9.3.12.	69 A.2.9.1.64.
13	A.2.9.3.13.	70 A.2.9.1.65.
14	A.2.9.3.14.	71 A.2.9.1.66.
15	A.2.9.3.15.	72 A.2.9.1.67.
16	A.2.9.3.16.	73 A.2.9.1.68.
17	A.2.9.3.17.	74 A.2.9.1.69.
18	A.2.9.3.18.	
19	A.2.9.3.19.	
20	A.2.9.3.20.	
21	A.2.9.3.21.	
22	A.2.9.3.22.	
23	A.2.9.3.23.	
24	A.2.9.3.24.	
25	A.2.9.3.25.	
26	A.2.9.3.26.	
27	A.2.9.3.27.	
28	A.2.9.3.28.	
29	A.2.9.3.29.	
30	A.2.9.3.30.	
31	A.2.9.3.31.	
31(a)	A.2.9.3.32.	
31(b)	A.2.9.3.33.	
31(c)	A.2.9.3.34.	
32	A.2.9.3.35.	
33	A.2.9.3.36.	
34	A.2.9.3.37.	
35	A.2.9.3.38.	
36	A.2.9.3.39.	
37	A.2.9.3.40.	
38	A.2.9.3.41.	
39	A.2.9.3.42.	
40	A.2.9.3.43.	
41	A.2.9.3.44.	
42	A.2.9.3.45.	
43	A.2.9.3.46.	
44	A.2.9.3.47.	
45	A.2.9.3.48.	
46	A.2.9.3.49.	
47	A.2.9.3.50.	
48	A.2.9.3.51.	
49	A.2.9.3.52.	
50	A.2.9.3.53.	
51	A.2.9.3.54.	

For other Special Policy Areas
numbers, refer to Schedules:
B-1, B-2, and B-3.

schedule B

to the official plan
for
the city of Hamilton

98.01.28

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1317 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 148, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "CR-1" (Commercial-Residential) District, modified, to "HH" (Restricted Community Shopping and Commercial) District, modified

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "HH" (Restricted Shopping and Commercial) District provisions, as contained in Section 14A. of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14A.(3)(a) of Zoning By-law 6593, a front yard depth of at least 24.0 metres shall be provided and maintained; and,
- (b) a landscaped planting strip having a minimum width of 6.0 m shall be provided and maintained along the entire easterly lot line of the "HH" District, where it abuts a residential district; and,

- (c) a visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the entire easterly lot line of the "HH" District, where it abuts a residential district; and,
- (d) a minimum 3.0 m wide landscaped planting strip shall be provided and maintained along the entire westerly lot line, except for any area used for access driveway.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1401.

5. Sheet No. E-9C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1401.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

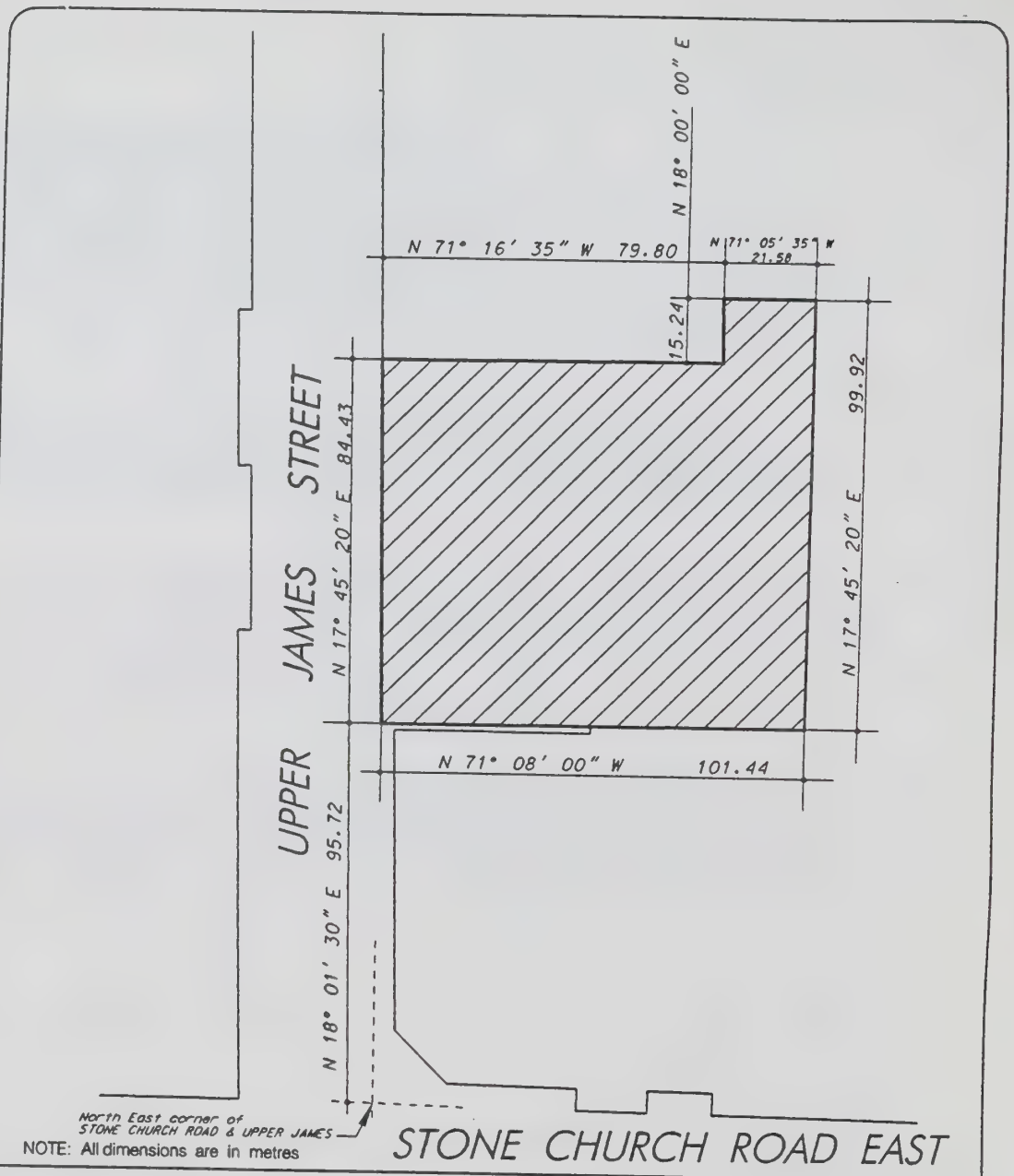
day of

A.D. 1998

CITY CLERK

MAYOR

(1998) 6 R.P.D.C. 5, March 31
Hampshire Properties Limited, Owner
ZAC-97-39



This is Schedule "A" to By-Law No. 98-_____
Passed the _____ day of _____, 1998.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-____

to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

 "CR-1" (Commercial - Residential) District, modified to
"HH" (Restricted Community Shopping and Commercial)
District, modified.

North



Scale
NOT TO SCALE

Date
April 1998

Reference File No.
ZAC-97-39

Drawn By
B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 243 FENNELL AVENUE EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-16 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "RT-20"-'H' (Townhouse-Maisonette - Holding) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the land comprised in Block 1, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 2. (2) A.(viib) and 10E.(7) of Zoning By-law No. 6593, only one townhouse dwelling having not less than two single family dwelling units and a townhouse dwelling having a maximum of three single family dwelling units shall be permitted;
- (b) notwithstanding Section 10E.(4)(a) of Zoning By-law No. 6593, for a townhouse dwelling a side yard depth of not less than 4.0 metres shall be provided and maintained for the southerly lot line; and,
- (c) notwithstanding Section 10E.(17)(a) of Zoning By-law No. 6593, for a townhouse dwelling not more than three single family dwelling units shall be attached in a continuous row.

3. The "RT-20" (Townhouse-Maisonette) District regulations, as contained in Section 10E of Zoning By-law 6593, applicable to the land comprised in Block 2, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10E.(7) of Zoning By-law No. 6593, only townhouse dwellings having a maximum total of ten single family dwelling units shall be permitted; and,
- (b) notwithstanding Section 10E.(17)(a) of Zoning By-law No. 6593, for a townhouse dwelling not more than four single family dwelling units shall be attached in a continuous row.

4. No pedestrian or vehicular access shall be permitted from East Eleventh Street.

5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" District, subject to the special requirements referred to in sections 2 and 3.

6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1400.

7. Sheet No. E-16 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1400.

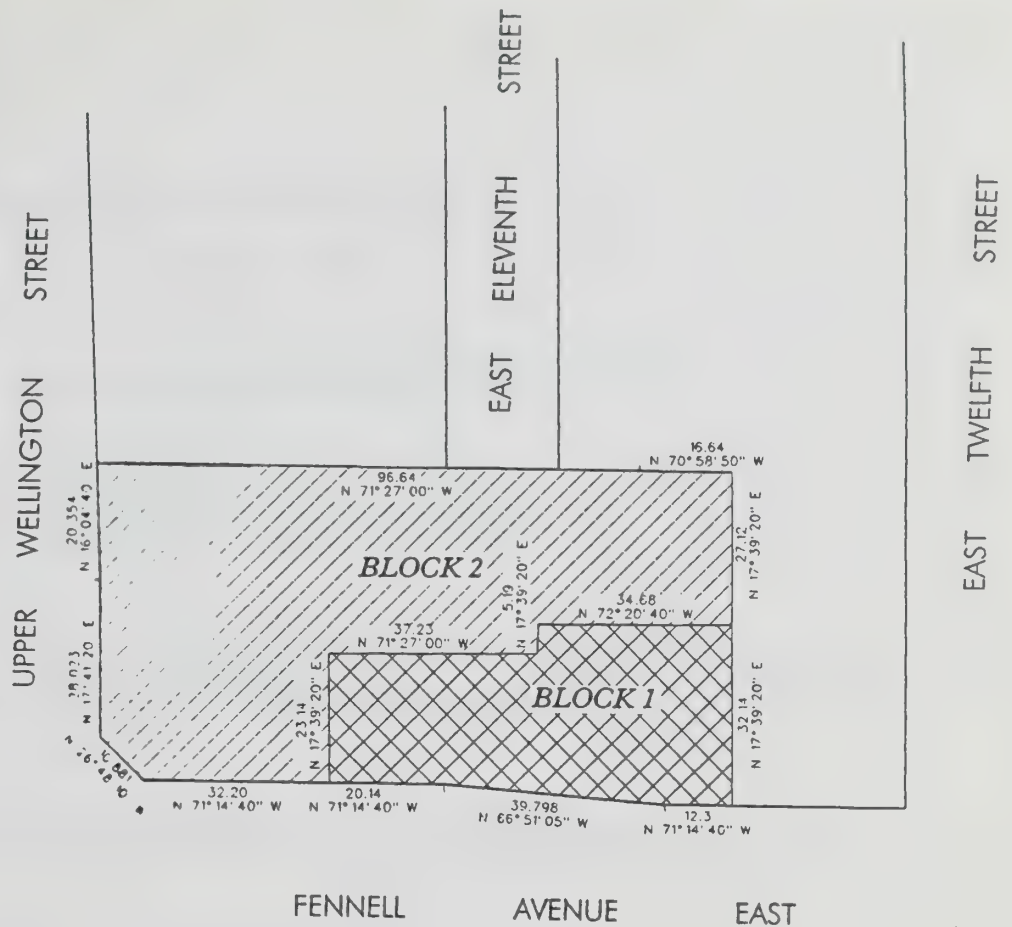
8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1998

CITY CLERK

MAYOR

(1998) 7 R.P.D.C. 1, April 14
 (1998) 8 R.P.D.C. 11, April 28
 1215443 Ontario Inc.
 (Ontario Pride Construction/Michael Bobiash), Owner
 Amended ZAC-98-03



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-.....
Passed the day of, 1998.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 98-.....
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in Zoning From:

BLK 1 "C" (Urban Protected Residential, etc.)
District to "RT-20" (Townhouse -
Maisonette) District, Modified.

BLK 2 "C" (Urban Protected Residential, etc.)
District to "RT-20" (Townhouse -
Maisonette) District, Modified.

North



Scale
Not to Scale

Date
APRIL 1998

Reference File No.
ZAC-98-03

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Adopt:

Official Plan Amendment No. 147

Respecting:

**LANDS LOCATED AT 135 FENNELL AVENUE WEST
WITHIN THE BUCHANAN NEIGHBOURHOOD**

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 147 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

(1998) 5 R.P.D.C.(3.a) , March 10
Mohawk College, Owner
OPA-147

Amendment No. 147

to the

City of Hamilton Official Plan

The following text, together with Schedule B, attached hereto, constitute Official Plan Amendment No. 147.

Purpose:

The purpose of this Amendment is to establish a "Special Policy Area" within the "Major Institutional" designation to permit a private recreational facility on a portion of the subject lands.

Location:

The lands affected by this Amendment are a portion of the lands known municipally as No. 135 Fennell Avenue West (Mohawk College), within the Buchanan Neighbourhood.

Basis:

The basis for permitting the private recreational facility is:

- 1) there is a tennis bubble which has existed on the lands since 1977 and due to its deteriorating condition will be replaced a newer facility. In this regard, the land use will remain the same but the facility will be run privately rather than as public facility run by Mohawk College;
- 2) it is complements the institutional and residential land use in the area; and,
- 3) it provides for recreational opportunities in the community.

Actual Changes:

1. The following new policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.71:

"In addition to the permitted uses set out in Subsection A.2.6 - Major Institutional Uses, for those lands shown on Schedule "B" as SPECIAL POLICY AREA 76, and located on

lands municipally known as 135 Fennell Avenue West (Mohawk College), a private recreational facility shall be permitted on a portion of the lands of Mohawk College.

2. The following be added to Schedule "B" - Special Policy Areas:

- Special Policy Area 76; and;
- "Area 76 refer to Policy A.2.9.3.71" in the legend, as shown on the attached Schedule "B" of this Amendment.

Implementation:

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 98- , passed on the day of , 1998.

**The Corporation of the
City of Hamilton**

City Clerk

Mayor

schedule B **amendment no.147**

to the
official plan
for the
city of hamilton

legend

 Special Policy Area 76
Refer to Policy A.2.9.3.71

date	drawn by	reference file no.
March 1998	F.A.	OPA 147

legend



10a REFERRED TO
O.M.B.

Hamilton Harbour

Lake Ontario

special policy areas



0 500 1000 2000
Scale in meters

Refer to Schedule B-3

special policy areas

AREA	REFER TO POLICY	REFER TO AREA POLICY
1(a)	A.2.9.1.1.	53 "Dotted"
1(b)	A.2.9.1.1.	54 "Dotted"
1(c)	A.2.9.1.1.	55 A.2.9.3.50.
2	A.2.9.2.	56 A.2.9.3.51.
3	A.2.9.3.	62 A.2.9.3.57.
4	A.2.9.3.1.	63 A.2.9.3.58.
5	A.2.9.3.2.	64 A.2.9.3.59.
6	A.2.9.3.3.	65 A.2.9.3.60.
7	A.2.9.3.4.	66 A.2.9.3.61.
8	A.2.9.3.5.	67 A.2.9.3.62.
9	A.2.9.3.6.	68 A.2.9.3.63.
10	A.2.9.3.7.	69 A.2.9.3.64.
11	A.2.9.3.8.	70 A.2.9.3.65.
11(a)	A.2.9.3.9.	71 A.2.9.3.66.
11(b)	A.2.9.3.10.	72 A.2.9.3.67.
11(c)	A.2.9.3.11.	73 A.2.9.3.68.
12	A.2.9.3.12.	74 A.2.9.3.69.
13	A.2.9.3.13.	
14	A.2.9.3.14.	
15	A.2.9.3.15.	
16	A.2.9.3.16.	
17	A.2.9.3.17.	
18	A.2.9.3.18.	
19	A.2.9.3.19.	
20	A.2.9.3.20.	
21	A.2.9.3.21.	
22	A.2.9.3.22.	
23	A.2.9.3.23.	
24	A.2.9.3.24.	
25	A.2.9.3.25.	
26	A.2.9.3.26.	
27	A.2.9.3.27.	
28	A.2.9.3.28.	
29	A.2.9.3.29.	
30	A.2.9.3.30.	
31	A.2.9.3.31.	
32	A.2.9.3.32.	
33	A.2.9.3.33.	
34	A.2.9.3.34.	
35	A.2.9.3.35.	
36	A.2.9.3.36.	
37	A.2.9.3.37.	
38	A.2.9.3.38.	
39	A.2.9.3.39.	
40	A.2.9.3.40.	
41	A.2.9.3.41.	
42	A.2.9.3.42.	
43	A.2.9.3.43.	
44	A.2.9.3.44.	
45	A.2.9.3.45.	
46	A.2.9.3.46.	
47	A.2.9.3.47.	
48	A.2.9.3.48.	
49	A.2.9.3.49.	
50	A.2.9.3.50.	
51	A.2.9.3.51.	

For other Special Policy Areas
numbers, refer to Schedules:
B-1, B-2, and B-3.

schedule B
to the official plan
for
the city of Hamilton

98 01 28

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 135 FENNEL AVENUE WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 147, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "B" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8. of Zoning By-law No. 6593, applicable to the land comprised in Block "1", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,
 - (a) notwithstanding Section 8.(1) of Zoning By-law No. 6593, the following additional uses shall be permitted:
 - i) a Student Residence accessory to the college located on Block "2", containing a maximum of 250 units, and accommodating a maximum of 500 students;
 - ii) a fitness centre with a maximum floor area of 270 m², which shall be located within the same building and shall be operated as an accessory use to a student residence on Block "1" and/or a college on Block "2";
 - iii) meeting and seminar rooms, which shall be located within the same building as a student residence, with a combined maximum floor area of 188 m²;
 - iv) a private tennis club, provided that the student residence permitted by clause i) shall have a maximum capacity of 180 units, and shall accommodate a maximum of 360 students.
 - (b) notwithstanding Section 8.(2) of Zoning By-law No. 6593, no building shall exceed a height of 5 storeys;
 - (c) notwithstanding Section 8.(3)(i) of Zoning By-law No. 6593, a front yard of a depth of at least 19 m shall be provided and maintained;

- (d) notwithstanding Section 18A. of Zoning By-law No. 6593, a portion of the required parking and manoeuvring spaces for the permitted uses on Block "1", may be provided and maintained on Block "2"; and,
- (e) Section 18A.(11) and 18A.(12) of Zoning By-law No. 6593 shall not apply to the parking areas abutting the southerly and easterly boundaries of Block "1".

2. That the "B" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8. of Zoning By-law No. 6593, applicable to the land comprised in Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 8.(1) of Zoning By-law No. 6593, parking accessory to a permitted use on Block "1", shall be permitted on Block "2";
- (b) Section 18A.(11) and 18A.(12) of Zoning By-law No. 6593 shall not apply to the parking areas on Block "2", abutting the southerly and easterly boundaries of Block "1";
- (c) notwithstanding Section 18A.(11) and 18A.(12) of Zoning By-law No. 6593, a minimum 6 m wide planting strip shall be provided and maintained along the southerly lot line of Block "2", beginning at the south west corner of Block "2", for a minimum distance of 445 m easterly.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B" District provisions, subject to the special requirements referred to in sections 1 and 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1399.

5. Sheets No. W-15 and W-16 of the District Maps are amended by marking the lands referred to in sections 1 and 2 of this by-law, S-1399.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

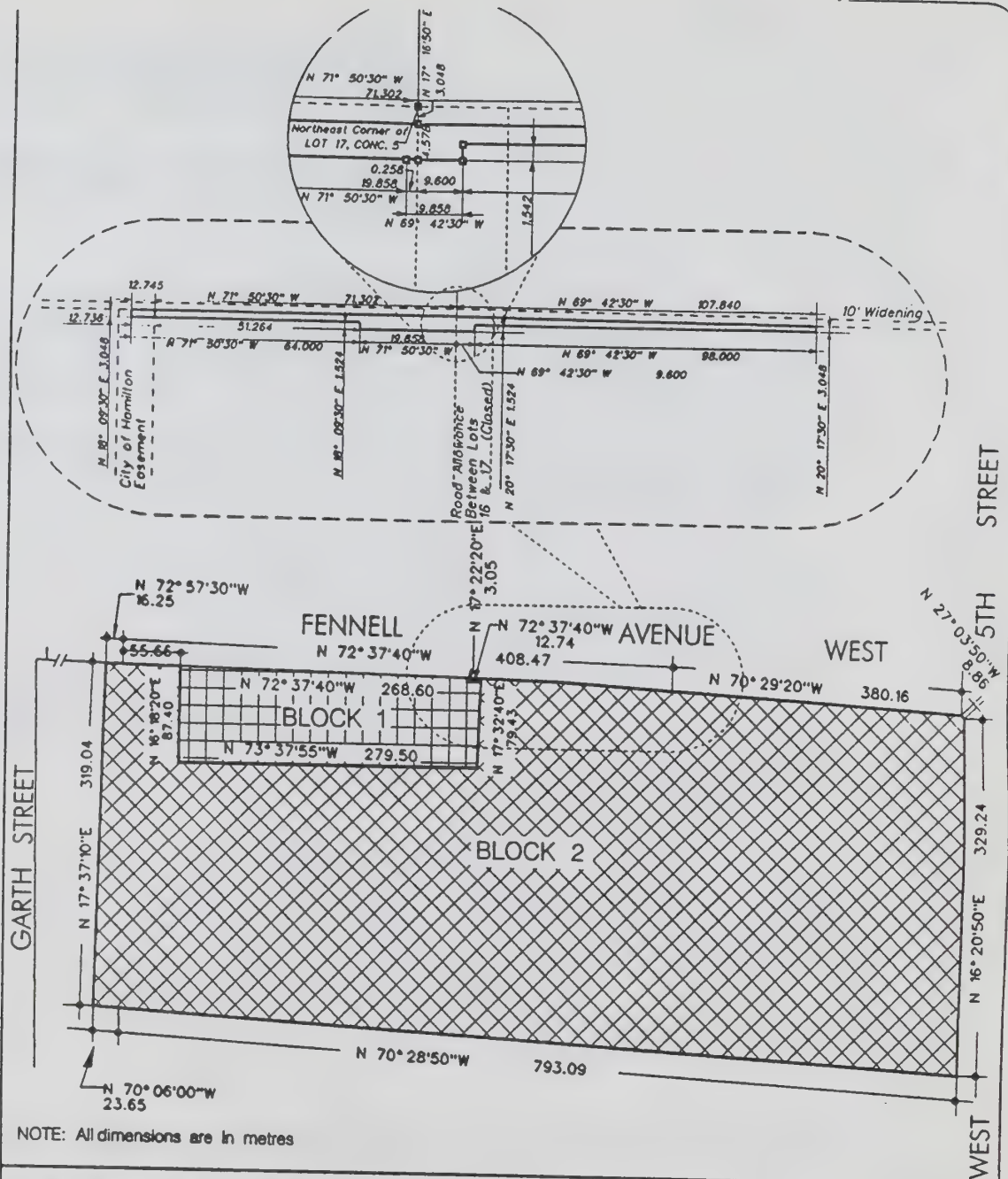
PASSED this

day of

A.D. 1998

CITY CLERK

MAYOR



This is Schedule "A" to By-Law No. 98-.....
 Passed the day of, 1998.

 Clerk

 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 98-____
 to Amend By-Law No. 6593

Planning and Development Department

Legend

BLOCK 1

Proposed modification to the established "B" (Suburban Agriculture and Residential, etc.) District.

BLOCK 2

<p>North</p>	Scale	Reference File No.
	NOT TO SCALE	ZAC-97-28
	Date	Drawn By
	MARCH 1998	B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 135 FENNEL AVENUE WEST

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:
 172. Land located at Municipal No. 135 Fennell Avenue West, shown on Appendix 172 hereto annexed and forming part of this by-law.
2. Appendix 172 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

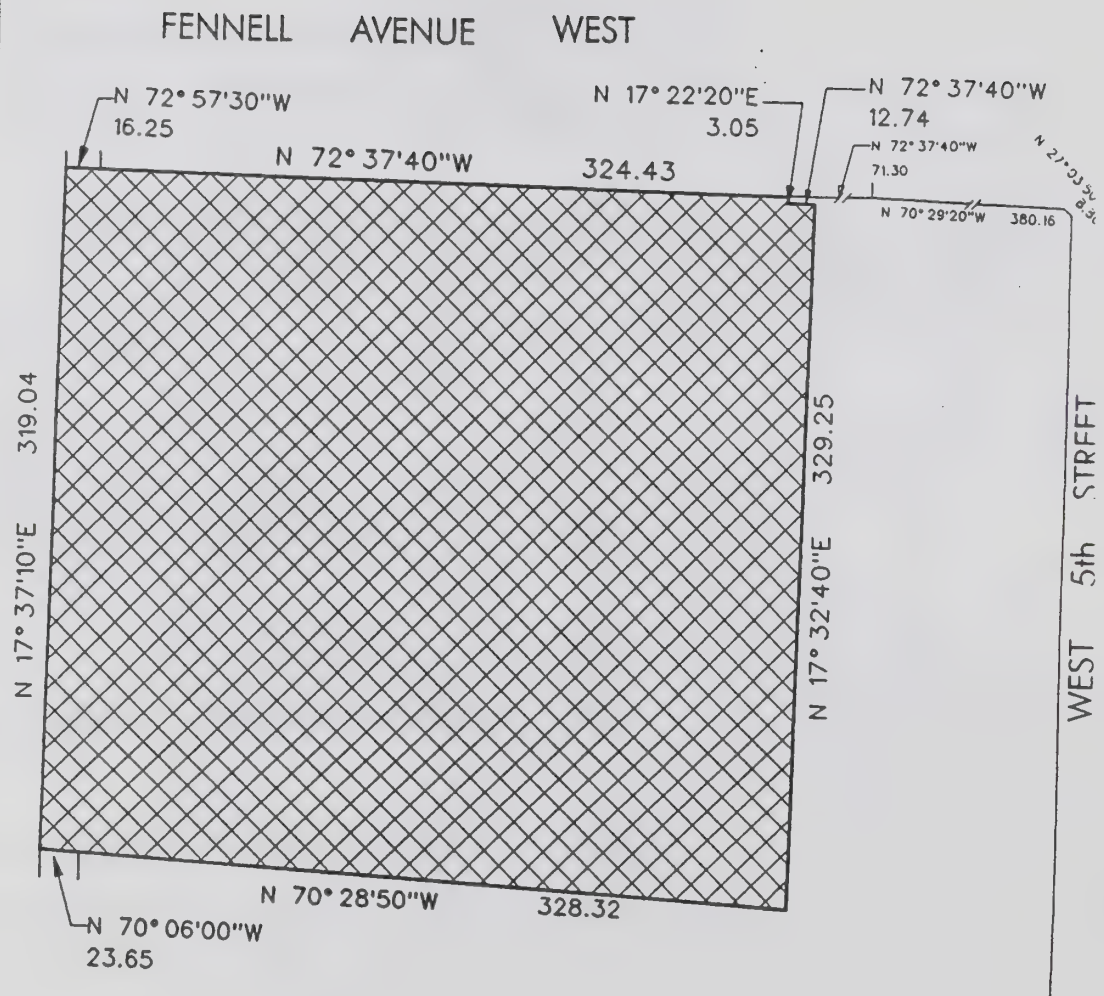
PASSED this day of

A.D. 1998

CITY CLERK

MAYOR

(1998) 5 R.P.D.C. 16, March 10
Mohawk College of Applied Arts and Technology , Owner
Amended ZAC-97-28



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98—
Passed the day of, 1998.

Clerk

Mayor

City of Hamilton

Appendix 172

to the By-Law No. 79-275
as Amended by By-Law No. 87-223

Planning and Development Department

Legend



Lands designated under this By-Law
as an area of Site Plan Control
pursuant to section 41 of the
Planning Act, R. S. O. 1990.

North



Scale
NOT TO SCALE

Date
MARCH 1998

Reference File No.

ZAC-97-28

Drawn By
B. B.

BY-LAW NO. 98 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28th DAY OF APRIL, 1998.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 28th day of April 1998

CITY CLERK

MAYOR

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